

DRAFTAgenda Item Number : **2A**

Request For Council Action

Date Submitted 2015-10-06 09:18:16**Applicant** Jeff Peay - Park Planning Manager**Quick Title** Professional Services Agreement for Little Valley Soccer**Subject** Little Valley Soccer Fields Phase 5 Professional Services Agreement with Sunrise Engineering Inc.

Discussion A Professional Services Agreement (PSA) was received from Sunrise Engineering to further design and develop the Little Valley Soccer Fields and Community Park elements. The PSA fee for this project exceeds \$25,000 and requires City Council approval. Sunrise Engineering's PSA proposal is \$144,700. The project will include engineering design and documentation for two grass fields (one soccer and one rugby size with soccer overlay), lighting for one field, a parking lot along Horsemans Park Road (74 spaces), a restroom and storage building, a large pavilion, a section of asphalt trail, and area concrete flatwork. Also included in the PSA are services associated with bidding and construction administration related to the project. We are seeking approval to accept the PSA by Sunrise Engineering for the amount of \$144,700 to complete the design and documentation as noted above.

Cost \$144,700

City Manager Recommendation This one of several to be funded by the RAP tax revenues and bond issuance. Recommend approval as Sunrise has been involved with other improvements in this area and are familiar with the project already.

Action Taken**Requested by** Jeff Peay - Park Pla**File Attachments** [SEI Proposal - Little Valley Soccer Fields 09 29 15.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:**

Additional Comments This is currently listed as a RAP Tax project. No budget has been allocated yet. The Legal Department is currently reviewing the documentation.

Attachments [SEI Proposal - Little Valley Soccer Fields 09 29 15.pdf](#)



September 29, 2015

Mr. Jeff Peay
Park Planning Manager
City of St. George
390 North 3050 East
St. George, UT 84790

Re: Little Valley Fields Phase V Design & Construction
Proposal for Professional Engineering Services

Dear Mr. Peay,

Sunrise Engineering (Sunrise) is pleased to submit this proposal for professional engineering services related to the project referenced above.

PROJECT BACKGROUND

The City is preparing to advance progress on The Fields at Little Valley park through implementation of the next phase, known as Fields Phase V. Referring to the concept plan dated August 20, 2015, the improvements will generally include finishing earthwork for the remainder of the site, completing the soccer fields and north side trail, completing the south parking lot, installing drainage improvements, and finishing the landscaping in the east parking lot. Specific improvements are intended to include utility improvements and stub-outs, lighting improvements on the trail and parking lot, soccer field lighting, drainage improvements, irrigation improvements, landscaping, pavement, etc.

SCOPE OF SERVICES

Based on the Project Background outlined above, Sunrise proposes to complete the following Scope of Services:

1. **Design Survey**
 - a. Complete topographical mapping of existing surface features and contours, including boundary conditions, of the proposed improvements site.
 - b. Prepare a base map including basic line work, symbols, spot elevations, and contours.
 - c. Provide a tie to the City's existing horizontal control network.
 - d. Install control points for future use during the construction phase of the project.
2. **Civil, Electrical & Architectural Design**
 - a. Coordinate and plan for tie-ins to existing hardscape, utilities, and infrastructure.
 - b. Prepare civil engineering drawings, special provisions, line-item takeoffs, and a bid schedule to be included in the bid package.
 - c. Furnish an engineer's opinion of probable cost prior to bidding.

- d. Attend review meetings with the City as necessary to complete the design work.
 - e. Provide electrical design for the field, parking lot, and trail lighting, including consideration of existing power distribution, panel boards, switchgear, City preferences, equipment locations, etc.
 - f. Provide architectural construction drawings for the restroom building and the storage building, designed as separate buildings, and including structural, mechanical, and electrical engineering appurtenant to the buildings.
 - g. Support the City in obtaining approvals of the final design, including providing documents and data for the City's work in obtaining the approvals.
3. **Bidding & Negotiating**
- a. Produce and provide final documents to the City.
 - b. Participate in a pre-bid meeting, answer questions, clarify expectations of the contractor, explain design rationale, etc.
 - c. Answer bid phase questions related to the construction drawings or special provisions.
 - d. Prepare and submit addenda to clarify requirements, scope, quality and quantity of the improvements to be completed.
 - e. Provide other bid phase services requested by the City and as allowed by available budget.
4. **Construction Administration**
- a. Participate at the pre-construction meeting, answer questions relative to expectations of the contractor, clarify drawings and specifications, etc.
 - b. Attend weekly progress meetings conducted by the City.
 - c. Review and consider submittals from the contractor.
 - d. Issue clarifications to the drawings and specifications as required.
 - e. Provide periodic site visits at a reasonable frequency or as required to answer questions, review site conditions and status of the work, review compliance of work completed with the requirements of the documents and specifications, etc.
 - f. Provide other construction phase services requested by the City and as allowed by available budget.

PROFESSIONAL SERVICES FEES

Sunrise proposes to complete the work outlined in the Scope of Services for the following fees and fee types:

Phase	Fee	Fee Type	Comments
Design Survey	\$2,800	Lump Sum	~
Civil, Electrical, & Architectural Design	\$99,400	Lump Sum	~
Bidding & Negotiating	\$7,500	Lump Sum Maximum	Based on Hourly Rate
Construction Administration	\$35,000	Lump Sum Maximum	Based on Hourly Rate

Professional services provided at hourly rates or beyond those included in the Scope of Services outlined above will be completed by Sunrise at the rates and fees given in the attached Exhibit A.

ASSUMPTIONS

The following assumptions apply to the terms and conditions of this proposal:

1. Based on the most recent engineer's opinion of probable cost, the construction budget for the proposed improvements is approximately \$2.3 million dollars.
2. The construction work will be completed in a single contract and the construction period will comprise no more than 180 calendar days.
3. The City will provide all landscaping and irrigation design services, including drawings, specifications, bid item tabulations, preliminary costing, etc.
4. The City will take the lead role during the bid and constructions phases; Sunrise will assist the City in a supportive, as-needed role, within the pre-authorized budget.
5. Drainage design for the improvements will be based on the June, 2012, drainage study completed for the Fields Phase III project.
6. As design of the fields commences and drainage requirements are being determined, the City may commission a soils analysis from one of its consultants to identify necessary improvements to the soil horizon.
7. The contractor will be required to provide and maintain a SWPPP as part of the construction contract.
8. Sunrise reserves the right to utilize architectural, electrical and survey sub-consultants, and others as may be required, to complete the Scope of Services outlined above.
9. The storage building is intended to be approximately 500 square feet in floor area, with electrical improvements but no mechanical or plumbing improvements. The restroom building is being designed approximately similar to the existing restroom near the playground and splash pad, and includes mechanical and plumbing improvements.

ADDITIONAL SERVICES

The City may authorize Sunrise to furnish or obtain from others additional services of the types listed below, which are not included in the basic Scope of Services and Professional Services Fees given above. If such services are authorized, commensurate additional fees shall be negotiated.

1. Services resulting from significant changes in the scope, extent, or character of the project and its design requirements.
2. Revising previously accepted studies, reports, drawings, specifications, or contract documents.
3. Laboratory tests, well tests, borings, hydraulic investigations, soils investigations, water quality studies, or other studies or tests.
4. Services caused by excessive reviews, indecisiveness, delays, significant obstacles to completion of the work in a timely manner, etc. beyond the control of Sunrise.
5. Survey or mapping services, including property surveys, property plats, property descriptions, and abstracting, other than those included in the Scope of Services.
6. Providing construction surveys and staking to enable the contractor to perform its work.
7. Assistance in connection with bid protests, rebidding, or renegotiating contracts for construction, materials, equipment, or services.
8. Services required during any correction period, or with respect to monitoring the contractor's compliance with warranties and guarantees called for in the construction contract.

9. Preparing to serve or serving as a consultant or witness in any litigation, arbitration, or other dispute resolution process related to the project.
10. Other services performed or furnished by Sunrise not otherwise provided for in the Scope of Services.

If the City chooses to move forward with the project, we recommend execution of an agreement based on this proposal in a format agreeable to the City. We appreciate the opportunity to work with the City on this and other projects. Please call me at (435) 652-8450 with any questions.

Sincerely,



Joseph K. Phillips, P.E.
Principal Engineer

attachment

DRAFTAgenda Item Number : **2B**

Request For Council Action

Date Submitted 2015-10-06 09:09:57**Applicant** Jeff Peay - Park Planning Manager**Quick Title** Bid Award - Construction**Subject** Bid Award for the All Abilities Park Hardscape Works

Discussion Bids were advertised in mid-September and opened on 29th of September 2015 for the Hardscape portion of the All Abilities Park Project. The Hardscape portion of the Works are to include fine grading, concrete flatwork, electrical, lighting, depot concrete pad & footings, pavilion pad & footings, and water feature basin concrete work. The City received a total of 2 qualifying bids for the Hardscape portion of the project. B. Hansen Construction was the low bid at \$472,320.00. Bud Mahas Construction was the next lowest bid at \$891,382.50. The engineers estimate came in at \$480,635.00 and our low bid came in under this amount. We are seeking approval to accept the low bid by B Hansen Construction for a total construction cost of \$472,320.00.

Cost \$472,320.00

City Manager Recommendation Recommend approval.

Action Taken**Requested by** Jeff Peay - Park Pla**File Attachments** [Bid Tab Tonaquint All Abilities Park Hardscape.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:**

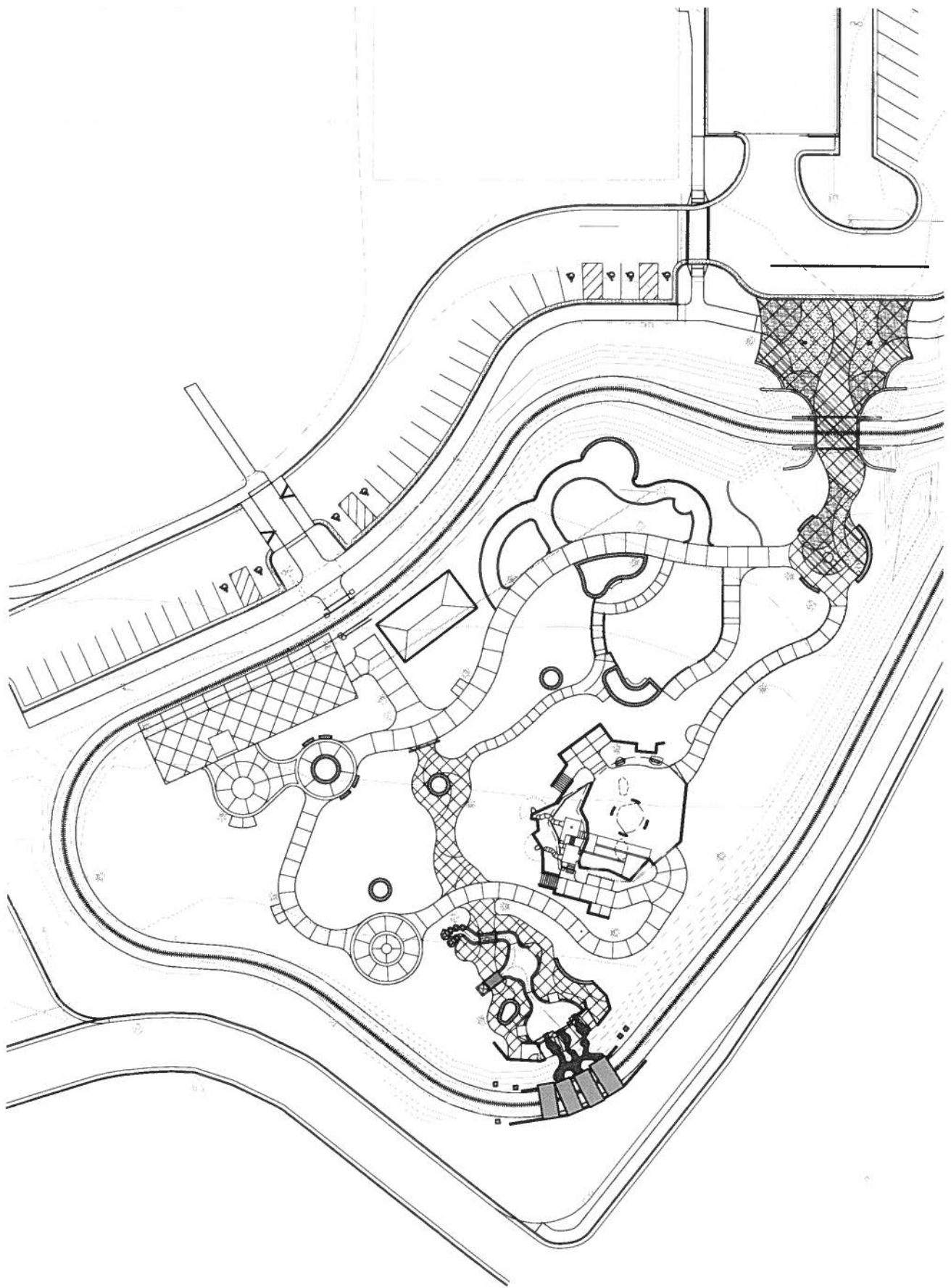
Additional Comments B. Hansen Construction will be working as a subcontractor to the General Contractor (Bud Mahas). Hardscape project start date is scheduled for October 16th 2015 following Council approval.

Attachments [Bid Tab Tonaquint All Abilities Park Hardscape.pdf](#)

Tonaquint All Abilities Park Hardscape
Bid Tabulation

Item No.	Item Description	Unit	Bid Qty.	Engineer's Estimate		B. Hansen Construction		Bud Mahas Construction	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	MOBILIZATION	LUMP	1	\$40,000.00	\$40,000.00	\$13,829.50	\$13,829.50	\$6,250.00	\$6,250.00
2	TRAFFIC CONTROL	LUMP	1	\$1,500.00	\$1,500.00	\$10,000.00	\$10,000.00	\$3,125.00	\$3,125.00
3	ENVIRONMENTAL PROTECTION	LUMP	1	\$1,500.00	\$1,500.00	\$3,500.00	\$3,500.00	\$3,125.00	\$3,125.00
4	SURVEY	LUMP	1	\$15,000.00	\$15,000.00	\$5,500.00	\$5,500.00	\$7,500.00	\$7,500.00
5	RECONSTRUCT SEWER MANHOLE	EACH	1	\$750.00	\$750.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00
6	SITE GRADING (PLAN QUANTITY)	CU YD	650	\$10.00	\$6,500.00	\$12.85	\$8,352.50	\$25.00	\$16,250.00
7	COLOR & STAMPED CONCRETE (4 INCHES THICK)	SQ FT	15,000	\$6.00	\$90,000.00	\$6.70	\$100,500.00	\$13.75	\$206,250.00
8	COLOR & STAMPED CONCRETE (6 INCHES THICK)	SQ FT	900	\$8.00	\$7,200.00	\$7.10	\$6,390.00	\$21.88	\$19,692.00
9	CONCRETE FLATWORK STAINED (4 INCHES THICK)	SQ FT	5,350	\$8.00	\$42,800.00	\$6.28	\$33,598.00	\$16.88	\$90,308.00
10	CONCRETE FLATWORK (4 INCHES THICK)	SQ FT	1,000	\$4.50	\$4,500.00	\$3.75	\$3,750.00	\$10.00	\$10,000.00
11	CONCRETE STEM WALL (6 INCH)	FEET	135	\$25.00	\$3,375.00	\$18.00	\$2,430.00	\$81.25	\$10,968.75
12	PEDESTRIAN ACCESS RAMP (MODIFIED)	EACH	3	\$2,500.00	\$7,500.00	\$3,500.00	\$10,500.00	\$8,125.00	\$24,375.00
13	WATER CHANNEL (EXPOSED AGGREGATE CONCRETE)	SQ FT	1,000	\$12.00	\$12,000.00	\$10.00	\$10,000.00	\$23.75	\$23,750.00
14	6 INCH CONCRETE MOW CURB	FEET	700	\$4.00	\$2,800.00	\$3.05	\$2,135.00	\$17.50	\$12,250.00
15	DEPOT PLATFORM (5 INCHES THICK COLORED & STAMPED)	SQ FT	840	\$9.00	\$7,560.00	\$7.00	\$5,880.00	\$40.00	\$33,600.00
16	CONCRETE SEAT WALL	FEET	475	\$40.00	\$19,000.00	\$45.00	\$21,375.00	\$171.25	\$81,343.75
17	4 INCH STEM WALL (TICKET BOOTH IN DEPOT)	FEET	40	\$10.00	\$400.00	\$18.00	\$720.00	\$93.75	\$3,750.00
18	CONCRETE STAIRS	EACH	2	\$1,500.00	\$3,000.00	\$5,500.00	\$11,000.00	\$16,250.00	\$32,500.00
19	TRAIN DEPOT FOUNDATION AND CONCRETE SLAB	LUMP	1	\$50,000.00	\$50,000.00	\$13,500.00	\$13,500.00	\$35,625.00	\$35,625.00
20	6 INCH DRAIN LINE (PVC)	FEET	300	\$25.00	\$7,500.00	\$16.00	\$4,800.00	\$25.00	\$7,500.00
21	10 INCH PVC PIPE W/FITTINGS	FEET	40	\$25.00	\$1,000.00	\$98.00	\$3,920.00	\$37.50	\$1,500.00
22	CATCH BASIN	EACH	1	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$2,875.00	\$2,875.00
23	14 FOOT LIGHT WITH WP GFI OUTLET	EACH	15	\$2,500.00	\$37,500.00	\$5,250.00	\$78,750.00	\$5,603.75	\$84,056.25
24	PEDESTRIAN RAILROAD CROSSING SIGNAL	EACH	2	\$2,500.00	\$5,000.00	\$3,800.00	\$7,600.00	\$8,500.00	\$17,000.00
25	SCENCE LIGHT (ALLOWANCE)	EACH	4	\$500.00	\$2,000.00	\$500.00	\$2,000.00	\$500.00	\$2,000.00
26	FLUSH MOUNTED LIGHT (ALLOWANCE)	EACH	3	\$250.00	\$750.00	\$250.00	\$750.00	\$250.00	\$750.00
27	POWER & LIGHTING SYSTEM	LUMP	1	\$50,000.00	\$50,000.00	\$26,000.00	\$26,000.00	\$24,163.75	\$24,163.75
28	SEWER CLEANOUT WITH FRAME AND LID	EACH	4	\$400.00	\$1,600.00	\$2,200.00	\$8,800.00	\$750.00	\$3,000.00
29	1 INCH WATERLINE	FEET	300	\$10.00	\$3,000.00	\$12.00	\$3,600.00	\$13.75	\$4,125.00
30	1 INCH WATER SERVICE W/BACKFLOW VALVE	EACH	1	\$3,000.00	\$3,000.00	\$3,500.00	\$3,500.00	\$4,375.00	\$4,375.00
31	WALKWAY BRIDGE #1	LUMP	1	\$4,500.00	\$4,500.00	\$9,200.00	\$9,200.00	\$11,250.00	\$11,250.00
32	WALKWAY BRIDGE #2	LUMP	1	\$2,500.00	\$2,500.00	\$7,600.00	\$7,600.00	\$10,625.00	\$10,625.00
33	4 INCH PVC SLEEVE (SCH 40)	FEET	1,600	\$10.00	\$16,000.00	\$8.00	\$12,800.00	\$12.50	\$20,000.00
34	36 FOOT PAVILION FOUNDATION	LUMP	1	\$5,000.00	\$5,000.00	\$12,000.00	\$12,000.00	\$21,875.00	\$21,875.00
35	1/4 INCH MINUS MATERIAL	SQ FT	1,900	\$2.00	\$3,800.00	\$2.00	\$3,800.00	\$1.25	\$2,375.00
36	PEDESTRIAN TRACK CROSSING #1	LUMP	1	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$23,750.00	\$23,750.00
37	PEDESTRIAN TRACK CROSSING #2	LUMP	1	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00	\$20,000.00	\$20,000.00
38	4 INCH SEWER LATERAL	FEET	180	\$20.00	\$3,600.00	\$18.00	\$3,240.00	\$25.00	\$4,500.00
Total Estimate:					\$480,635.00	Total Bid:	\$472,320.00	Total Bid:	\$891,382.50





DRAFTAgenda Item Number : **2C**

Request For Council Action

Date Submitted 2015-10-05 16:44:18

Applicant C. Hood

Quick Title Bid Award

Subject St. George City Energy Control Bldg.

Discussion Three responsive bids were received for this project. After review it was determined that Steed Construction was the low bid with a lump sum bid of \$ 624,726.00.

Cost \$624,726.00

City Manager Recommendation In the current budget recommend approval.

Action Taken

Requested by Laurie Mangum/Barb B

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments The engineers estimate was based off of similar commercial building construction of \$150.00/sq.ft. The building is approximately 4,000 sq.ft. so the estimated cost is \$600,000.00 The budget for the construction of the building is \$650,000.00.

MEMORANDUM OF BID OPENING

Bid No. & Title: 15-0048 Energy Services Center Bldg.
Bids Opened By: Ragnel Martenson
Bids Recorded By: _____
Time of Opening: 2:00
Date of Opening: 9/23/2015
Place of Opening: CCC

Apparent Low Bidder: Steel Construction Amount of Bid: \$624,726.00

Order of Bid Opening: JMI Constructors Addendum Amount of Bid: Bid Bond
Base: 739,000.00 ✓
Alter. 1 _____
Alter. 2 _____
Alter. 3 _____

B. Hansen Construction ✓ \$662,000.00 ✓
Base: 662,000.00 ✓
Alter. 1 _____
Alter. 2 _____
Alter. 3 _____

Steel Construction ✓ 624,726.00 ✓
Base: 624,726.00 ✓
Alter. 1 _____
Alter. 2 _____
Alter. 3 _____
Base: _____
Alter. 1 _____
Alter. 2 _____
Alter. 3 _____

Those Present: Derek B. JMI Rep.
Jamie M.
Sydney Hansen



MEMORANDUM

DATE: September 29, 2015

TO: Connie Hood

FROM: Barb Berrett

RE: Energy Services Control Building Project – Inquiry No: 15-0048

We have reviewed the three (3) bids that were submitted for the subject project and it appears that Steed Construction was the low bidder. The lump sum bid was \$624,726.00. We recommend that the project be awarded to Steed Construction.

We would like to be put on the agenda for the next City Council meeting.

Let me know if you have any questions.

CITY OF ST. GEORGE

175 East 200 North, St. George, Utah 84770
Phone: (435) 627-4000
www.sgcity.org

MAYOR
Jonathan T. Pike

CITY MANAGER
Gary Esplin

CITY COUNCIL
Gil Almquist
Jimmie Hughes, Michele Randall
Joe Bowcutt, Bette Arial

DRAFTAgenda Item Number : **2D**

Request For Council Action

Date Submitted 2015-10-05 16:29:48

Applicant C. Hood

Quick Title Bid Award

Subject (2) 2015 1/2 Ton Pick -Ups for Energy Services

Discussion Low bid submitted by Award to Larry Miller Ford. \$ \$ 30,038.00 each

Cost \$60,076.00

City Manager Recommendation Approved as part of the current budget. Recommend approval.

Action Taken

Requested by Courtney Stephens

File Attachments

Approved by Legal Department?

Approved in Budget? Amount:

Additional Comments St. George Ford was within 5% but declined to match the low bid. Amount in the budget for these is \$ 64,540.00 so we are still under budget for this line item.



**CITY OF ST. GEORGE
CAPITAL OUTLAYS
BUDGET 2015-16**

DEPARTMENT	ITEM	Amount Approved
	<u>Distribution - Equipment</u>	
	Tilt Bed Trailer 20 Ton	8,500
7-15-15 (2)	Pick Up Truck Replacements (4) 7-29-15 (2) 44,460	109,000
	Generation Tech Truck	99,000
	Skid Steer	39,500
	Locator Unit Dynatel (2)	7,500
	High Voltage Thumper/Scope	20,000
	Automated Meter Test Socket	8,795
	Cap Bank Control Unit	15,000
	Fiber Optic Cabinet	6,000
	<u>Distribution - Transmission</u>	
	Rebuild 1000 E. to Flood Street Substation	406,000
	<u>Distribution - Substations</u>	
	Fiber Optic Projects/Repair	12,500
	NTU Upgrade (2)	19,000
	Replace Batteries (2 banks)	20,000
	Southgate Substation Relays	35,000
	Spill Prevention Containment	45,000
	Sunset Substation Recloser Controls and Transformer Relays	25,000
	SF6 Pressure Gauges	5,000
	<u>Distribution - Street Lighting</u>	
	Street Lighting Retrofit to LED	200,000
	<u>Compliance Operations</u>	
	New Control Center/SCADA Meter Center	800,000
	SCADA Upgrades	40,000
	Substation Camera	6,000
	Compliance Software	10,000
	<u>Administration - Equipment</u>	
	Software Office Applications	3,400
	Laptop (Replacements)	2,200
	Computer (Replacements)	4,400
	Field Computers - Tablets	2,200
	Tablets for GIS/City Works (3)	3,300
	Fleet Building Expansion (ESD Participation)	302,000

109,000
44,460
64,540

BIDS FOR VEHICLES AND EQUIPMENT

DIVISION: Energy Services

VEHICLE TYPE: (2) F-150 Crew Cab - 4x4 V-8

	<u>Vendor</u>	<u>Amount</u>
1.	Larry Miller Ford \$30,038(x2)	\$60,076.00
2.	St. George Ford \$31,076(x2)	62,152.00
3.		
4.		
5.		
6.		

Bid Award

Larry Miller Ford \$60,076.00

Justification - If Needed

Justification - If Needed
St George Ford wouldn't match the bid (see email)

Please send to Council for Review + approval.

Tha, Combs

DRAFTAgenda Item Number : **3A**

Request For Council Action

Date Submitted 2015-10-08 14:36:21**Applicant** City of St. George**Quick Title** Public Hearing - Issuance and sale of franchise tax revenue bond**Subject** Public hearing regarding the issuance and sale of not to exceed amount of \$9,000,000 aggregate principal amount of franchise tax revenue bonds, series 2015.**Discussion** PUBLIC HEARING REGARDING THE ISSUANCE AND SALE OF NOT TO EXCEED AMOUNT OF \$9,000,000 AGGREGATE PRINCIPAL AMOUNT OF FRANCHISE TAX REVENUE BONDS, SERIES 2015 AND REGARDING ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2015 BONDS MAY HAVE ON THE PRIVATE SECTOR AND RELATED MATTERS.**Cost** \$0.00**City Manager Recommendation** Required hearing to consider public comments on the sale of franchise tax revenue bonds debt service to be paid from proceeds from the RAP tax.**Action Taken****Requested by** Christina Fernandez**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

DRAFTAgenda Item Number : **3B**

Request For Council Action

Date Submitted 2015-10-05 12:35:18**Applicant** ENRP, LLC**Quick Title** Public Hearing and Ord for Amend Zoning Regulations

Subject Proposed amendment to Title 10 Zoning Regulations, Chapter 14 "Supplementary and Qualifying Regulations", Section 10-14-22 "Short Term Leases of Residential Property." Section 10-14-22.3 "Auto and Parking Regulations" to change the existing parking requirements for short term, to allow tandem parking, and to allow tandem parking in the front setback area, and to add a new section (10-14-22.5) which defines occupancy. Consider amendments pertaining to parking in: Title 10 Zoning Regulations, Chapter 19 "Off Street Parking Requirements" Section 10-19-3 "Access to Individual Parking Spaces" and Section 10-19-4 "Residential Area Requirements" and Chapter 8 "Planned Development Zone" Section 10-8-5 (D)(d) "Residential Development Standards".

Discussion The applicant is requesting to amend short-term rental parking requirements in a Planned Development Zone. The changes would only impact those in a PD zone that have approval for short-term rentals. The amendment is simplified and would be easier to administer than the current ordinance. Planning Commission recommends approval.

Cost \$0.00

City Manager Recommendation Technical amendment and clarification of the parking requirements for short term rentals. Planning Commission has recommended approval.

Action Taken**Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

Zoning Regulation Amendment

Short Term Rental - Parking

PLANNING COMMISSION AGENDA REPORT: 09/22/2015
CITY COUNCIL SET PUBLIC HEARING: 09/24/2015
CITY COUNCIL MEETING: 10/15/2015

AMENDMENT TO ZONING REGULATIONS; PUBLIC HEARING

Case No. 2015-ZRA-007

Request: Proposed amendment to Title 10 Zoning Regulations, Chapter 14 'Supplementary and Qualifying Regulations', Section 10-14-22 "Short Term Leases of Residential Property." Section 10-14-22.3 'Auto and Parking Regulations' to change the existing parking requirements for short term, to allow tandem parking, and to allow tandem parking in the front setback area, and to add a new section (10-14-22.5) which defines occupancy. Consider amendments pertaining to parking in: Title 10 Zoning Regulations, Chapter 19 'Off Street Parking Requirements' Section 10-19-3 "Access to Individual Parking Spaces" and Section 10-19-4 "Residential Area Requirements" and Chapter 8 'Planned Development Zone' Section 10-8-5(D)(1)(d) "Residential Development Standards".

Applicant: ENRP, LLC

Representative: Mr. Bruce Jenkins
Attorney for ENRP, LLC
285 W Tabernacle, Ste 301
St George, Utah 84770

Background: Currently Title 10, Chapter 14 'Supplementary and Qualifying Regulations,' Section 22 "Short Term Leases of Residential Properties," Section 10-14-22.3 "Automobile and Parking Regulations" requires 2 parking spaces per unit and 1 space for every 2 guestrooms.

An application to modify this zoning regulation amendment request was received. The request would delete the existing parking standards and replace them with proposed new language which will change the parking requirements for residential nightly rentals, particularly in a PD-R (Planned Development Residential) zone with amenities (e.g. golf course community).

The applicant is representing Shinava Ridge, which is located in the Entrada development. Shinava Ridge was originally approved for short term rental units one dwelling per lot, and each house was considered as one dwelling. However, the units were further subdivided by installing interior lockout doors which doubled and tripled the unit counts. The applicant's representative met with the

Fire Marshall, Building Official, and Development Services staff several times and as a result, sought a solution to density issue, and the non-conforming parking situation, thus requesting an ordinance change to address the parking issue. The requested ordinance change does not address the density issue, and that must be addressed at a later date by amending the PD. In addition, staff identified a conflicting section in the PD zone and is recommending it be removed.

Examples of other Cities regulations are attached (provided by applicant).

Staff Comments:

1. If this ZRA changes are approved by City Council, this new parking standard will apply City Wide to all short term rentals (e.g. The Ledges, Green Valley Spa and Resort, World Mark, Las Palmas, etc.)
2. Staff has provided an alternative to the applicant's proposal, given that some of the applicant's proposals may not be applicable or enforceable on a City Wide basis.
3. The applicant supports Staff's proposal, however, the applicant's proposal is provided for reference.

Applicant Proposed Amendment:

Modify Section 10-14-22.3 Automobile and Parking Regulations and add new Section 10-14-22.5 Occupancy:

(new wording is underlined and strikethrough is used to remove)

3. Automobile and Parking Regulations: For each short term rental property:
 - a. ~~For off street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.~~
 - b. ~~Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.~~
 - c. ~~As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.~~
 - a. There shall be one off street covered parking space and one off street uncovered parking space for each dwelling unit and no more than

one automobile may be parked overnight in uncovered parking for each dwelling unit.

b. No parking shall be allowed in streets with widths less than _____ feet.

c. Tandem parking is allowed, including in the front yard setback.

4. Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.
5. Occupancy: The maximum occupancy shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom (e.g. a two (2) bedroom dwelling unit is permitted a maximum occupancy of six (6) persons). The maximum occupancy of a dwelling unit may not exceed _____. The Building Official may approve exceeding the occupancy based on the size of the dwelling using standards provided by current adopted version of the IBC (International Building Code). The maximum occupancy shall also be limited by the availability of off street parking.

Staff Proposed Amendment

10-14-22:(D)(3) SHORT TERM LEASES OF RESIDENTIAL PROPERTIES:

3. Automobile and Parking Regulations: For each single family and two family short term rental property:
- ~~a. For off street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.~~
- ~~b. Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.~~
- ~~c. As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.~~
- a. Two (2) parking spaces provided per dwelling unit, one of which shall be covered.
- b. If covered parking is provided within a garage, each dwelling unit may tandem park in the front setback, if the garage and tandem parking spaces are associated with the same unit. Garage must be setback a minimum of twenty feet (20') measured from back of sidewalk or curb where no sidewalk exists to qualify for tandem parking.

- c. On street parking does not qualify for parking requirements and is not permitted.
 - d. All other multifamily short term rental dwellings, including townhouses and condominiums shall comply with 10-19-4 of this title. Tandem parking is permitted in accordance to 10-14-22(D)(3)(b).
4. Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.

10-8-5(D)(1)(d) RESIDENTIAL DEVELOPMENT STANDARDS:

D. Setbacks:

1. Front Yard:

- c. A garage design to allow a side entrance with an appropriate off street parking area may be located less than the twenty foot (20') minimum setback requirement where the planning commission determines such off street parking (the driveway) meets the intent of the ordinance. In no case shall the garage have a setback reduction less than ten feet (10') in order to comply with the building setback of ten feet (10') from the back of curb. The driveway shall have an appropriate radius, width and length to provide off street parking outside of the garage. Garage doors fronting the street shall have a twenty foot (20') minimum setback from the sidewalk (curb where no sidewalk). (Ord. 2002-01-005, 1-3-2002)

~~d. The front yard setback area shall not be used for the location of any building or parking of any motor vehicles required as a part of the parking requirement or for additional visitor parking. (Ord. 2002-01-005, 1-3-2002; and, 2003 Code)~~

Planning Commission: Planning Commission recommends approval of Staffs recommended amendment.

APPLICATION

**ZONING ORDINANCE
AMENDMENT
APPLICATION**



APPLICATION FOR AN AMENDMENT TO THE ZONING REGULATIONS
AS PROVIDED BY THE CITY OF ST. GEORGE ZONING ORDINANCE
CITY OF ST. GEORGE, UTAH

APPLICANT INFORMATION

APPLICANT: ENRP, LLC
APPLICANT'S MAILING ADDRESS: c/o Bruce C. Jenkins 285 W. Tabernacle, Ste. 301
PHONE: 435-656-8200 CELL: 435-619-5450 FAX: 435-656-8200
EMAIL ADDRESS(ES): bcj@vf-law.com

I request that the Planning Commission and City Council amend the Title 10: "Zoning Ordinance" section:

10-14-22

as follows (attach a separate sheet if necessary): See attached Exhibit "A"

The reason for the proposed Ordinance amendment is (attach a separate sheet if necessary): To update parking requirements for residential nightly rentals, particularly in a PD-Zone with an adjacent golf course community. Attached as Exhibit "B" are parking regulations from other cities dealing with parking and nightly residential rentals.

Bruce C. Jenkins, attorney for ENRP, LLC
Signature of Applicant

OFFICE STAFF USE ONLY

CASE #: 2015-ZRA-007 FILING DATE: 8/20 RECEIVED BY: [Signature] RECEIPT #:

*FEE: \$500

Steam Boat Springs Example



Occupancy:

The maximum number of guests staying at any Vacation Home Rental Property shall be one per two hundred (200) square feet of net floor area, up to a maximum of sixteen (16).

Parking:

There shall be a minimum of two (2) Parking Spaces.
No more than four (4) vehicles may be parked overnight.
No more than two (2) vehicles may be parked overnight outside of garages.
No parking shall be permitted in public rights of way or Access Easements.
No parking trailers or snowmobiles on the property.

24-Hour Local Contact information:

Pioneer Ridge
675 Snapdragon Way, Suite: 100
Steamboat Springs, CO 80487
970-879-0517

Trash:

Trash pick up is after check out. A management company representative will pull trash from the trash containers inside the home. If you need an extra trash pick-up please call our front desk agents at 970-879-0517. Please do not take trash out yourself as we don't want to feed the wildlife. No container other than approved wildlife proof containers may be used for pick up.

Noise:

Quiet times are from 7:00 pm to 7:00am. Please remember you are in a residential area and any violation of city noise or disturbance ordinances could result in a fine or removal from the property.

Prohibited Activities:

- Outdoor sleeping.
- Any outdoor activity at which more than twice the number of allowed occupants are in attendance.
- Tents or other outdoor structures, whether deemed temporary or permanent.
- Commercial Kitchens.
- The preparation of any food on site for persons other than occupants and their guests.

Inspection.

If the City Permit Director has reasonable grounds to believe that prohibited activities are occurring at the Property, the Director may require an inspection of the Property on 24-hour advanced notice to the Owner, Property Management Company, or other agent or local contact person for the Owner.

Violations and Penalties:

The following conduct shall constitute a violation for which the penalties specified below shall be imposed:

- The Owner, Property Management Company, or other agent of Owner has conducted, permitted, or allowed any of the Prohibited Activities to occur on the Property. The penalties for violations shall be as follows:
 - For the first violation within any 12-month period, the penalty shall be \$250.00;
 - For a second violation within any 12-month period, the penalty shall be a fine of \$500.00;
 - For third violation and all subsequent violations within any 12-month period, the penalty shall be a fine of \$1,000.00;
 - Each calendar day there is a failure to comply with Additional Criteria and each day a Prohibited Activity takes place may be considered by the Municipal Court as a separate and distinct violation.

These Violations and Penalties shall be in addition to any other violations of law that may be charged under the Steamboat Springs Municipal Code, including, without limitation, Noise Pollution (§ 7-61 et seq.) and Nuisances (§ 15-1 et seq.). In addition to the violations and penalties set forth in this section, the City shall be entitled to all other remedies in law or equity, including, without limitation, seeking an injunction in any court of competent jurisdiction.

137 10th Street, P.O. Box 775088, Steamboat Springs, Colorado 80477
(970) 879-2060 • Fax (970) 879-8851 • www.steamboatsprings.net

ARTICLE 24

Arizona

Single-Family Nightly Rentals

Adopted December 7, 2010 by Apache County Board of Supervisors

Section 2401. Definitions.

- A. "Single-Family Nightly Rental" is defined as a dwelling unit or portion thereof, including an attached or detached guest quarters, which is used in a Residential Zone or in a Greer Commercial (GC) Zone, by any person or group of persons who occupies or is entitled to occupy a dwelling unit for Remuneration for a period of less than thirty (30) calendar days, counting portions of days as full days.
- B. "Remuneration" is defined as compensation, money, rent or other bargained for consideration given in return for occupancy, possession, or use of real property.
- C. "Residential Zone" is defined as any residential zone in Apache County, as described in the Apache County Zoning Ordinance.
- D. "Person" for the purpose of establishing occupancy, is defined as an individual at least two (2) years of age.

Section 2402. Purpose.

- A. The purpose of this Section 2400 is to protect the character of Residential Zones by regulating Single-Family Nightly Rentals.
- B. Single-Family Nightly Rentals in a Residential Zone have the potential to be incompatible with surrounding residential uses. Therefore, special regulation of Single-Family Nightly Rentals is necessary to ensure that their use will be compatible with surrounding residential uses and will not materially alter the neighborhoods in which they are located.

Section 2403. Single-Family Nightly Rental Requirements.

- A. Single-Family Nightly Rental Permit required. No person shall occupy, use, operate or manage, nor offer or negotiate to use or rent a Single-Family Nightly Rental in a Residential Zone or in a Greer Commercial (GC) Zone, except:
 - 1. A dwelling unit for which a Single-Family Nightly Rental Permit has been issued to the Owner of that dwelling unit.
- B. Greer Commercial Resort ("GCR") Zone. In a Greer Commercial Resort Zone, the rental of a dwelling unit or portion thereof, by any person or group of persons who occupies or is entitled to occupy a dwelling for Remuneration for a period of less than thirty (30) calendar days, counting portions of days as full days, shall be considered one of the allowable uses of a resort, and; the use is allowed without a Single-Family Nightly Rental Permit, and; a Single-Family Nightly Rental Permit is not required, and; no Permit Fee shall be required, and said use is not subject to the requirements of this Section 2400.
- C. Permit Limits. In the Greer area as defined by the zoning ordinance, the number of permits issued shall be limited to a number fifteen percent (15%) greater than the actual number of permits issued with the first 12 months of the adoption of this Article.

ARTICLE 24

Single-Family Nightly Rentals

Adopted December 7, 2010 by Apache County Board of Supervisors

- D. Occupancy. The maximum occupancy for a Single-Family Nightly Rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom (e.g., a two (2) bedroom dwelling unit is permitted a maximum occupancy of six (6) persons). The maximum occupancy shall be further limited by off-street parking requirements as defined in this Section 2400. The maximum occupancy of a dwelling unit may not exceed twenty (20) persons. The Building Official may approve exceeding the occupancy based on size of home using standards provided by the current adopted version of the International Building Code.
- E. Parking. One (1) off-street parking space shall be provided for each three (3) persons of occupancy in a Single-Family Nightly Rental. No more vehicles shall be parked on the property than there are designated off-street parking spaces. Inability to provide the required off-street parking will reduce the permitted occupancy. A site plan shall be submitted with an application for a Single-Family Nightly Rental Permit which identifies the location of the required off-street parking.
- F. Solid Waste Disposal. The management company or a waste collection provider shall provide weekly solid waste collection during all months that the Single-Family Nightly Rental is available for rent.
- G. Permit Posting. The Single-Family Nightly Rental Permit shall be posted within 5 feet of the front door of each dwelling unit, both on the inside and on the outside of the dwelling unit, and contain the following information.
1. The name and telephone number of the Local Representative.
 2. The name and address of the Owner.
 3. The contact information for the Community Development Department and the Sheriff's office in Apache County.
 4. The maximum occupancy permitted.
 5. The number of off-street parking spaces provided on the property, and the maximum number of vehicles allowed to be parked on the property.
 6. The solid waste disposal collection day if provided by a solid waste company.
- H. Building Inspection. Each Single-Family Nightly Rental dwelling unit must be inspected annually by the Building Official to determine whether it meets adequate safety requirements of the applicable building codes. Prior to the issuance of a Single-Family Nightly Rental Permit, the Owner shall make all necessary alterations to the dwelling unit as required by the Building Official pursuant to the applicable building codes.

- I. **Ownership.** A Single-Family Nightly Rental Permit is issued to a specific "Owner" of a property in a Residential Zone or in a Greer Commercial (GC) Zone. If the property holding a Single-Family Nightly Rental Permit is sold to an unrelated third-party owner, the Single-Family Nightly Rental Permit shall immediately expire, and the new owner shall make application for a new Single-Family Nightly Rental Permit.

Section 2404. Application Procedures.

- A. **Single-Family Nightly Rental Permit Application.** Any Owner of a property in a Residential Zone wanting to use the property as a Single-Family Nightly Rental shall make application to the

ARTICLE 24

Single-Family Nightly Rentals

Adopted December 7, 2010 by Apache County Board of Supervisors

Community Development Department at the County for a Single-Family Nightly Rental Permit. The permit shall be issued for one (1) year, and must be renewed annually. The Community Development Department shall issue the permit where it finds the application requirements and the requirements of this Section 2400 have been met, and upon payment of the "Permit Fee" in an amount as determined by the Community Development Department.

Section 2405. Local Representative.

- A. Local Representative. The Owner of the property shall designate a "Local Representative". The Local Representative must be either the Owner or other individual person who resides permanently within a 20-mile radius of the property, or; a legally operating resort, bed and breakfast establishment, or property Management Company with a physically staffed permanent office within a 20-mile radius of the property.
- B. Change Local Representative. The Local Representative may be changed by the Owner from time to time throughout the term of the permit, by the Owner filing a revised permit application that includes the name, address and telephone number of the new Local Representative. Failure to notify the County of a change in the Local Representative constitutes a Violation and is grounds for a penalty pursuant to this Section 2406.
- C. Guest and Vehicle Register. The Local Representative shall maintain a guest and vehicle register for each tenancy of the Single-Family Nightly Rental. The register shall include the names, home addresses, and telephone numbers of the occupants, and; the vehicle license plate numbers of all vehicles used by the occupants, and; the date of the rental period. The above information must be available for County inspection upon request, and; failure to maintain or provide the required information constitutes a Violation and is grounds for a penalty pursuant to this Section 2406.

- D. Complaints. The Local Representative must be authorized by the Owner to respond to questions or concerns from the occupants or neighbors. The Local Representative shall serve as the initial contact person if there are questions or complaints regarding the operation of the property as a Single-Family Nightly Rental. The Local Representative must respond to those complaints in a timely manner to ensure that the use of the property complies with the standards for Single-Family Nightly Rental occupancy, as well as other pertinent County code requirements pertaining to noise, disturbances, or nuisances, as well as State law pertaining to the consumption of alcohol, or the use of illegal drugs.
- E. Availability. If the County Sheriff Department is not able to contact the Local Representative in a timely manner more than twice during the term of the annual permit, this shall be considered a Violation and is grounds for a penalty pursuant to this Section 2406.
- F. Neighbor Notification. The County shall notify property owners and or residents within 300 feet of the property of the name, address and telephone number of the Owner and the Local Representative. The purpose of this notification is so that adjacent property owners and residents can contact the Local Representative and/or Owner to report and request the resolution of problems associated with the operation of the Single-Family Nightly Rental.

ARTICLE 24

Single-Family Nightly Rentals

Adopted December 7, 2010 by Apache County Board of Supervisors

Section 2406. Violations and Penalties.

- A. Violations. Failure to comply with the occupancy or other requirements of the Single-Family Nightly Rental Permit and/or this Section 2400, shall constitute a "Violation". Disturbances or nuisances caused by the occupants (and their invited guests) of a Single-Family Nightly Rental that violate the County Codes or State law shall also constitute a Violation. Penalties for each Violation shall be imposed by the County. Upon receipt of four (4) penalties for Violations, the Community Development Department may suspend or revoke the Single-Family Nightly Rental Permit.
- B. Penalties. Any person who shall violate the provisions of this Section 2400 shall be subject to penalties and fines under Article 13 of the Apache County Zoning Ordinance. Additionally, the Single-Family Nightly Rental Permit shall be subject to revocation.
- C. Revocation. The Community Development Department is hereby authorized to revoke any Single-Family Nightly Rental Permit issued under the terms of this Section 2400, if, after due investigation, it determines that the holder thereof has repeatedly violated any provisions of the Section 2400, or that any facility is being maintained in an unsanitary or unsafe manner, or is a nuisance.

Short Term Leases Parking Regulations

2015-ZRA-007

Request:

The request would delete the existing parking standards and replace them with proposed new language which will change the parking requirements for residential nightly rentals, particularly in a PD-R (Planned Development Residential) zone with amenities (e.g. golf course community).

Staff Comments:

1. If this ZRA changes are approved by City Council, this new parking standard will apply City Wide to all short term rentals (e.g. The Ledges, Green Valley Spa and Resort, World Mark, Las Palmas, etc.)
2. Staff has provided an alternative to the applicant's proposal, given that some of the applicant's proposals may not be applicable or enforceable on a City Wide basis.

Applicant Proposed Amendment:

Modify Section 10-14-22.3 Automobile and Parking Regulations and add new Section 10-14-22.5 Occupancy:

(new wording is underlined and strikethrough is used to remove)

3. Automobile and Parking Regulations: For each short term rental property:

- a. ~~For off street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.~~
- b. ~~Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.~~
- c. ~~As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.~~

a. There shall be one off street covered parking space and one off street uncovered parking space for each dwelling unit and no more than one automobile may be parked overnight in uncovered parking for each dwelling unit.

b. No parking shall be allowed in streets with widths less than _____ feet.

c. Tandem parking is allowed, including in the front yard setback.

Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.

5. Occupancy: The maximum occupancy shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom (e.g. a two (2) bedroom dwelling unit is permitted a maximum occupancy of six (6) persons). The maximum occupancy of a dwelling unit may not exceed . The Building Official may approve exceeding the occupancy based on the size of the dwelling using standards provided by current adopted version of the IBC (International Building Code). The maximum occupancy shall also be limited by the availability of off street parking.

Staff Proposed Amendment

10-14-22:(D)(3) SHORT TERM LEASES OF RESIDENTIAL PROPERTIES:

3. Automobile and Parking Regulations: For each single family and two family short term rental property:
 - a. ~~For off-street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.~~
 - b. ~~Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.~~
 - c. ~~As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.~~
- a. Two (2) parking spaces provided per dwelling unit, one of which shall be covered.
- b. If covered parking is provided within a garage, each dwelling unit may tandem park in the front setback, if the garage and tandem parking spaces are associated with the same unit. Garage must be setback a minimum of twenty feet (20') measured from back of sidewalk or curb where no sidewalk exists to qualify for tandem parking.
- c. On street parking does not qualify for parking requirements and is not permitted.

d. All other multifamily short term rental dwellings, including townhouses and condominiums shall comply with 10-19-4 of this title. Tandem parking is permitted in accordance to 10-14-22(D)(3)(b).

3. Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.

10-8-5(D)(1)(d) RESIDENTIAL DEVELOPMENT STANDARDS:

D. Setbacks:

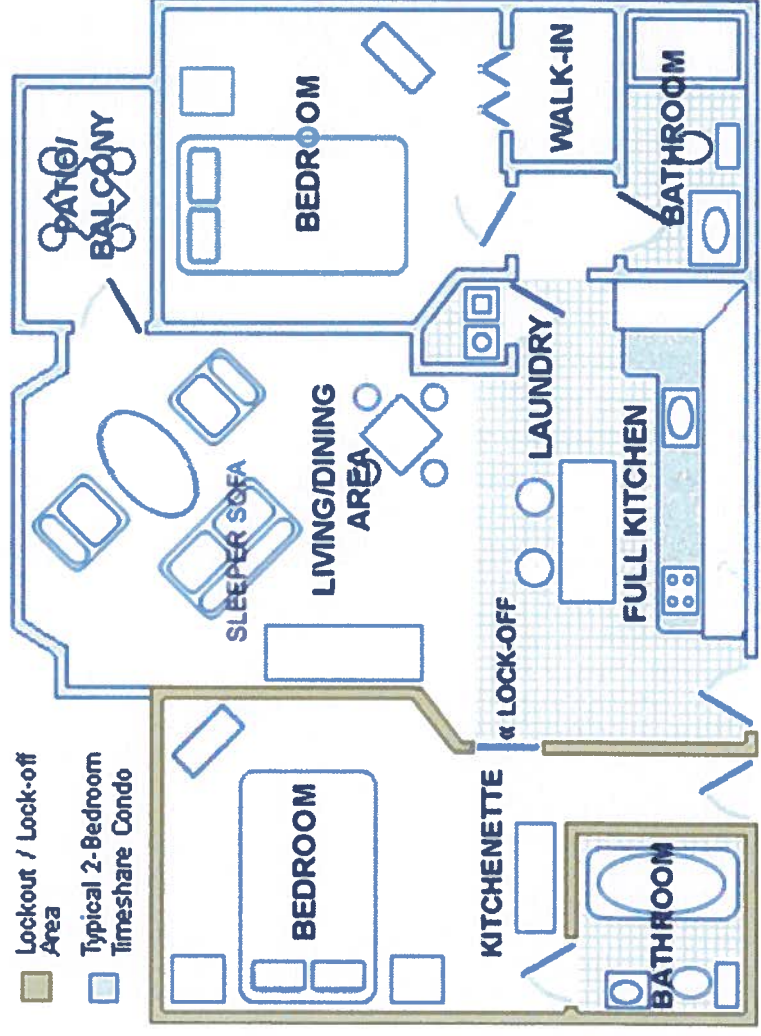
1. Front Yard:

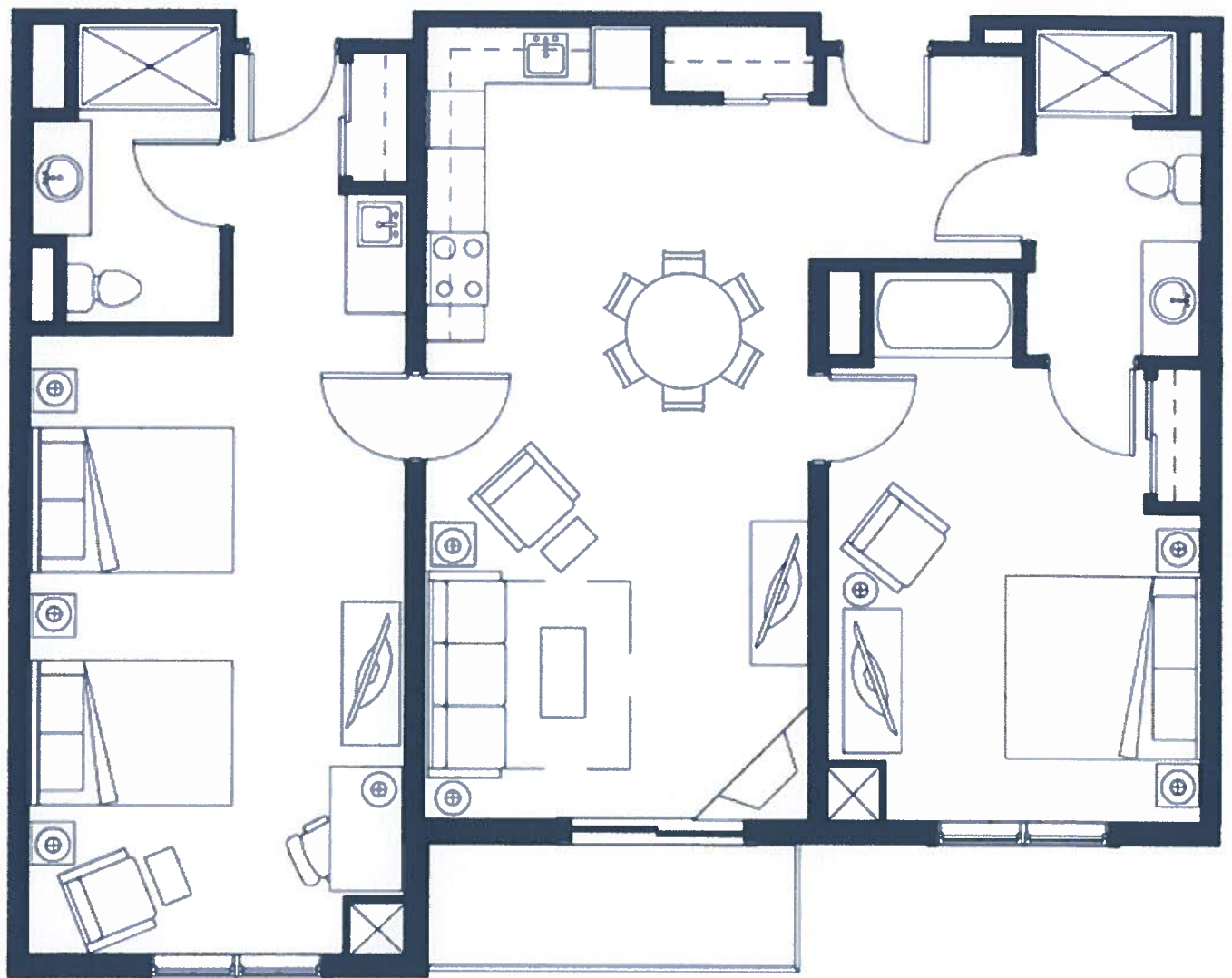
~~d. The front yard setback area shall not be used for the location of any building or parking of any motor vehicles required as a part of the parking requirement or for additional visitor parking. (Ord. 2002-01-005, 1-3-2002; amd. 2003 Code)~~

What does "Lockout unit" mean?

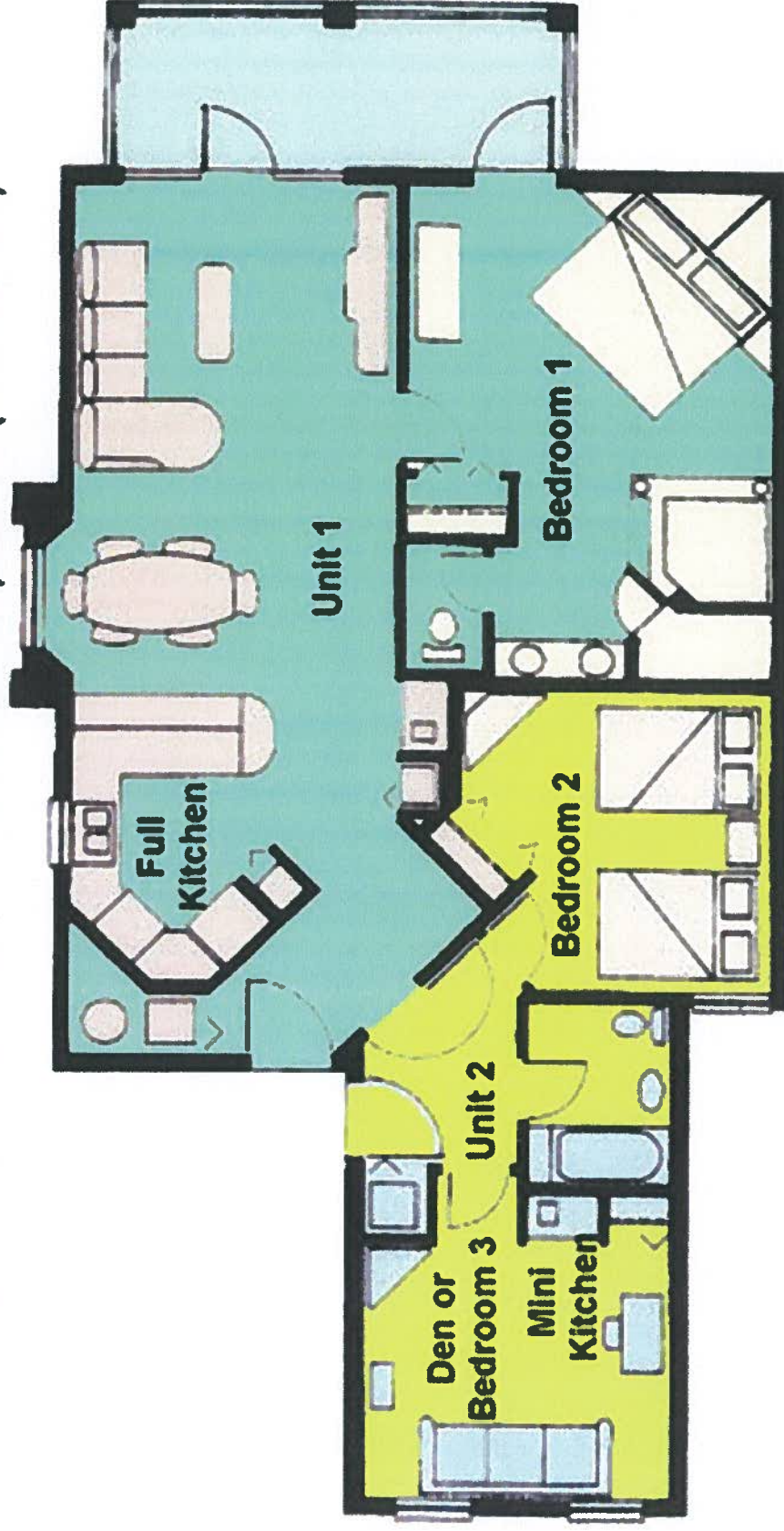
In a timeshare the meaning of "lock out unit" is that part of the accommodations you book which can be shut off if you do not need all the room. Room sizes usually vary from 2 - 10 people so a couple would not need a BIG unit so there is a door that can be locked and not used or used by another family (sort of like adjoining rooms in a hotel)

EXAMPLES





Full Lockout: Units 1 and 2 - Two Bedrooms plus Den (3rd Bedroom)



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10 SECTION 10-14-22.3 AND 10-8-5(D)(1)(d)

WHEREAS, the City Council is desirous of making changes to the regulations dealing with Short Term Leases of Residential Property parking requirements and Planned Development Zone Residential Development Standards; and

WHEREAS, both the Planning Commission and City Council have considered the proposed amendments in public hearings; and

WHEREAS, the Planning Commission recommends approval of the proposed code amendment; and

WHEREAS, the City Council has determined that changes to the ordinances are justified at this time and are in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. Title 10, chapter 14, section 10-14-22 and chapter 8, section 10-8-5(D)(1)(d) is enacted to read as set forth in Exhibit "A" attached.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 15th day of October, 2015

Jonathan Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

EXHIBIT "A"

(New wording is underlined and wording to be removed has strike through)

10-14-22:(D)(3) SHORT TERM LEASES OF RESIDENTIAL PROPERTIES:

3. Automobile and Parking Regulations: For each single family and two family short term rental property:
 - a. ~~For off street parking which is not located within the front setback, the property shall have at least two (2) parking spaces for the residence plus one space for every two (2) guest bedrooms.~~
 - b. ~~Allowed only two (2) automobiles plus one additional automobile for every two (2) guest bedrooms.~~
 - c. ~~As used in this section "guest bedroom" shall mean each bedroom in the rental dwelling unit in addition to the first bedroom.~~
 - a. Two (2) parking spaces provided per dwelling unit, one of which shall be covered.
 - b. If covered parking is provided within a garage, each dwelling unit may tandem park in the front setback, if the garage and tandem parking spaces are associated with the same unit. Garage must be setback a minimum of twenty feet (20') measured from back of sidewalk or curb where no sidewalk exists to qualify for tandem parking.
 - c. On street parking does not qualify for parking requirements and is not permitted.
 - d. All other multifamily short term rental dwellings, including townhouses and condominiums shall comply with 10-19-4 of this title. Tandem parking is permitted in accordance to 10-14-22(D)(3)(b).
1. Landscape Maintenance: Each short term rental property shall comply with the landscape requirements outlined in section 4-7-11 of this code.

10-8-5(D)(1)(d) RESIDENTIAL DEVELOPMENT STANDARDS:

D. Setbacks:

1. Front Yard:

- c. A garage design to allow a side entrance with an appropriate off street parking area may be located less than the twenty foot (20') minimum setback requirement where the planning commission determines such off street parking (the driveway) meets the intent of the ordinance. In no case shall the garage have a setback reduction less than ten feet (10') in order to comply with the building setback of ten feet (10') from the back of curb. The driveway shall have an appropriate radius, width and length to provide off street parking outside of the garage. Garage doors fronting the street shall have a twenty foot (20') minimum setback from the sidewalk (curb where no sidewalk). (Ord. 2002-01-005, 1-3-2002)
- d. ~~The front yard setback area shall not be used for the location of any building or parking of any motor vehicles required as a part of the parking requirement or for additional visitor parking. (Ord. 2002-01-005, 1-3-2002; amd. 2003 Code)~~

DRAFTAgenda Item Number : **4A**

Request For Council Action

Date Submitted 2015-10-09 10:05:37**Applicant** City of St. George**Quick Title** Ordinance regarding special events**Subject** Enactment of an ordinance establishing a process for approving special events in the City.**Discussion** As discussed in a recent City Council work meeting this ordinance outlines the procedure and approval process for special events.**Cost** \$**City Manager Recommendation** Recommend approval as discussed in the work meeting held Oct. 8, 2015.**Action Taken****Requested by****File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

ORDINANCE NO.

AN ORDINANCE ENACTING TITLE 3 CHAPTER 10

WHEREAS, Title 10 Chapter 8 of the Utah State Code grants municipal legislative bodies the authority to regulate the use of sidewalks, public streets, processions, demonstrations, noise abatement, and implement regulations to provide for the safety and preserve the health, promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants and for the protection of property in the city; and

WHEREAS, the City wants to encourage events because they believe they create a sense of community and enhance the quality of life for city residents; and

WHEREAS, the City desires to establish general requirements for the review and approval of special events and activities because of the number of annual events that are held by various groups and entities in the City of St. George; and

WHEREAS, the proposed amendment will promote the health, safety and welfare of residents and visitors by minimizing the potential issues and ensuring that special events do not create disturbances, become nuisances, threaten life, health, and property, disrupt traffic or threaten or damage private or public property; and

WHEREAS, the City Council has determined that adopting the ordinance is in the best interest of the health, safety, and welfare of the citizens of the City of St. George and is justified at this time.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealed. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. Title 3, Chapter 10 is enacted to read as follows:

SPECIAL EVENTS

- 3-10-1: PURPOSE:**
- 3-10-2: DEFINITIONS:**
- 3-10-3: PERMIT REQUIRED:**
- 3-10-4: APPLICATION REQUIREMENTS AND PROCEDURES:**
- 3-10-5: INSURANCE REQUIREMENT:**
- 3-10-6: FEES:**
- 3-10-7: APPLICATION REVIEW, APPROVAL AND ISSUANCE:**
- 3-10-8: GROUNDS FOR DENIAL:**
- 3-10-9: APPEAL PROCEDURES:**
- 3-10-10: VIOLATION:**

3-10-1: PURPOSE:

The purpose of this chapter is to provide for and encourage temporary events to occur in the city in order to create a sense of community and enhance the quality of life for city residents. It is also the city's intent to promote, protect and assure the safety and convenience of residents and visitors by mitigating potential issues which may occur as a result of the special event. This chapter is adopted to ensure that the special events do not create disturbances, become a nuisance, threaten life, health, and property, disrupt traffic, or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for time, place and manner regulations.

3-10-2: DEFINITIONS:

For the purposes of this chapter, the following words and phrases shall be defined as set forth in this section.

APPLICANT: The individual event organizer and the organization responsible for the event and the payment of fees.

ATHLETIC EVENT: An organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including, but not limited to, running, jogging, walking, bicycling or skating, held on any public or private property.

CITY EVENT: A special event that is organized and operated by the city, whether directly or by contract with a third party operator.

OUTDOOR SALES EVENT: An organized event in which a group of people or an organization engages in the sale of product including but not limited to, displays and exhibitions, farmers markets, craft fairs, outdoor sales, tent sales and other similar activities.

FILMING EVENT: Filming of a media broadcast (other than for news purposes), filming of a motion picture, television broadcast and digital media production.

SPECIAL EVENT: is a temporary event of any of the following or a combination of the following acts:

- A. Any athletic event, entertainment event, parade, carnival, circus, dance, musical event, rodeo event, fighting event, racing event, live shows, fairs, concerts, block parties, filming event, or outdoor sales event, whether held for profit, nonprofit or charitable purposes held on private or public property within the city, and is a temporary event.

- B. Any organized assemblage at any public park or other city property which gathers for a common purpose or event under the direction and control of a person or entity and which uses more services, amusement devices such as stages, inflatable devices or temporary structures, or equipment, whether provided by the city or a third party, than normally provided to groups which reserve park facilities or other city owned facilities.
- C. Any organized assemblage of over 50 individuals on private property which gathers for a common purpose or event under the direction and control of a person or entity which uses more city services, such as traffic control, sanitation, police or fire than normally provided to individuals on private property.

Any event held at a facility approved by the city as an event facility and which has an annual business license as an event facility or a government owned facility, is not a special event, except the city may require a special event permit for non city events held on city owned property.

- C. Events held at the following are not special events under this chapter:
- a. A building that has a business located in it that has a current annual business license as an event business;
 - b. A building with an assembly group classification under the International Building Code, as adopted by the city, so long as the event does not exceed the posted occupant load as approved by the city and has a current annual business license, if required; and
 - c. A government owned facility.

- ~~E~~D. For purposes of this chapter, Gcity events are not special events for purposes of this chapter, however events sponsored by the city are special events.

TEMPORARY EVENT: Any event which occurs on a temporary basis of less than one year at a location where the applicant does not have an annual business license for the specific activities being held.

3-10-3: PERMIT REQUIRED:

It is unlawful for any person, corporation, partnership, association or other entity, public or private, to promote, advertise or hold a special event without first obtaining a special event permit.

3-10-4: APPLICATION REQUIREMENTS AND PROCEDURES:

- A. Submission: A completed application on city forms shall be submitted to the city at least forty-five (45) calendar days before the event is scheduled to take place, in order to allow sufficient time to process the application and to allow timely appeal to the city council in the event the application is denied. Applications for new events or reoccurring events with changes that submitted the application less than forty-five

(45) calendar days prior to the scheduled event shall not be accepted. Applications are not considered complete until all required information has been submitted to the city.

- B. Advertising: No advertising of a special event shall be permitted until city approval of the special event is granted and a special event permit is issued.
- C. Inspections: Authorized law enforcement officers, fire control officers, and other government personnel shall be permitted free access to the event to make inspections to ensure compliance with all city, state, and federal laws. All government personnel shall comply with the Fourth Amendment of the United States Constitution at all times during an inspection.

3-10-5: INSURANCE REQUIREMENT:

- A. Insurance: The applicant, vendors, exhibitors, and concessionaires of a special event held on city property shall procure and maintain commercial general liability insurance in the amount required by the city to protect the city against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the event. Such insurance shall provide the following and shall be submitted to the city on an insurance certificate which shall include the following:
 - 1. The name and address of the insured.
 - 2. City shall be named as an additional primary insured and non-contributory on the General Liability Certificate.
 - 3. The location of the operations to which the insurance applies.
 - 4. The number of the policy and the type or types of insurance in force thereunder on the date of the certificate.
 - 5. The expiration date of the policy and the limit or limits of liability thereunder on the date of the certificate.
 - 6. A statement that all coverage is on an occurrence basis rather than a claims basis.
 - 7. A provision that the policy or policies will not be cancelled, denied renewal, or reduced in coverage until at least 30 days after written notice has been received by city.
 - 8. Name, address, and telephone number of the insurance company's agent.
- B. WORKER'S COMPENSATION INSURANCE: Applicant shall procure and maintain Worker's Compensation Insurance as required by Utah law.

- C. No special event permit shall be issued until the applicant and all vendors, exhibitors, or concessioners participating in the event submit to the city a certificate of insurance as required in this chapter.

3-10-6: FEES:

- A. Along with the application for a special event permit, the applicant shall pay any applicable special event application fees and city cost recovery fees.
- B. City Cost Recovery Fees: Extra city services will be provided for special events as determined by the city to be needed to protect the health, safety and welfare of the public and shall be paid by the applicant.
1. City costs include, but are not limited to, police, fire, park maintenance, power, water, road closures, and cleanup of city facilities before, during, or after the event, and other costs to city directly attributable to the special event.
 2. Before city approval is granted to hold the event, the applicant shall pay the deposit and estimated city fees as determined by the city based on the application, the applicant's past event history with the city, and experience with similar events.
- C. Invoice: The city may mail or deliver to the permit holder an invoice for the cost of city services provided by the city, and any costs incurred by the city in restoring the site. If the amount exceeds any city cost recovery fees paid in advance, the applicant shall pay the unpaid portion of the invoice amount within thirty (30) days of the date that the invoice was mailed or delivered. If the amount is less than the city cost recovery fees paid prior to issuance of the permit, then the remaining amount shall be returned to the applicant.

3-10-7: APPLICATION REVIEW, APPROVAL AND ISSUANCE: The city manager, or a designee, shall review and either approve, approve with conditions, or deny the request for a special event permit. The city manager may refer the request for a special event permit to city council for approval.

3-10-8: GROUNDS FOR DENIAL:

- A. Grounds for Denial: The special event application may be denied by the city if:
1. The proposed special event violates a law, ordinance, policy, procedure, or regulation or poses a danger or threat to the public health, safety or welfare, or causes unreasonable inconvenience or cost to the public;
 2. The proposed special event is not consistent with the intended nature and use of the requested city property;

3. The proposed special event is scheduled at a place and time that could disrupt or interfere with an already approved special event;
4. The proposed location or facility building is not adequate to accommodate the proposed special event such as parking, sanitation facilities, and health or safety codes, or the nature of the proposed special event is such that the city, or the applicant does not have sufficient resources available to ensure the health, safety, and welfare of special event participants or the general public;
5. The permit application contains a material falsehood or misrepresentation;
6. The applicant has failed to pay a debt to the city including costs incurred during a prior special event;
7. Incomplete permit applications; and
8. The applicant or any person on whose behalf the application for a permit was made has on prior occasions:
 - a. Damaged city property, if the applicant is for an the event on city property; or
 - b. Made material misrepresentations regarding the nature or scope of an event or activity previously permitted; or
 - c. Has violated the terms of prior permits issued to or on behalf of the applicant.

B. Notice: If a special event permit application is denied, the city shall notify the applicant in writing of the reason or reasons for the denial.

3-10-9: APPEAL PROCEDURES:

Any applicant for a special event permit desiring to appeal an administrative decision concerning the denial or modification of a special event permit may petition the city council if the decision was made by the city manager. Any decision made by the city council is final. All appeals shall be in writing, shall state the specific grounds for the appeal, and shall be delivered to the city recorder within five (5) calendar days after the date the applicant received notice of the denial. An applicant may appeal the city council's decision by seeking judicial review with the District Court, which review shall be limited to a review of the record. The District Court shall presume the city council's decision is valid and shall review the record to determine whether or not the decision was arbitrary, capricious or illegal.

3-10-10: VIOLATION:

A violation of this chapter shall be a class B misdemeanor.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this ____ day of _____, 2015.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

ORDINANCE NO. _____

AN ORDINANCE ENACTING TITLE 3 CHAPTER 10

WHEREAS, Title 10 Chapter 8 of the Utah State Code grants municipal legislative bodies the authority to regulate the use of sidewalks, public streets, processions, demonstrations, noise abatement, and implement regulations to provide for the safety and preserve the health, promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants and for the protection of property in the city; and

WHEREAS, the City wants to encourage events because they believe they create a sense of community and enhance the quality of life for city residents; and

WHEREAS, the City desires to establish general requirements for the review and approval of special events and activities because of the number of annual events that are held by various groups and entities in the City of St. George; and

WHEREAS, the proposed amendment will promote the health, safety and welfare of residents and visitors by minimizing the potential issues and ensuring that special events do not create disturbances, become nuisances, threaten life, health, and property, disrupt traffic or threaten or damage private or public property; and

WHEREAS, the City Council has determined that adopting the ordinance is in the best interest of the health, safety, and welfare of the citizens of the City of St. George and is justified at this time.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealed. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. Title 3, Chapter 10 is enacted to read as follows:

SPECIAL EVENTS

- 3-10-1: PURPOSE:**
- 3-10-2: DEFINITIONS:**
- 3-10-3: PERMIT REQUIRED:**
- 3-10-4: APPLICATION REQUIREMENTS AND PROCEDURES:**
- 3-10-5: INSURANCE REQUIREMENT:**
- 3-10-6: FEES:**
- 3-10-7: APPLICATION REVIEW, APPROVAL AND ISSUANCE:**
- 3-10-8: GROUNDS FOR DENIAL:**
- 3-10-9: APPEAL PROCEDURES:**
- 3-10-10: VIOLATION:**

3-10-1: PURPOSE:

The purpose of this chapter is to provide for and encourage temporary events to occur in the city in order to create a sense of community and enhance the quality of life for city residents. It is also the city's intent to promote, protect and assure the safety and convenience of residents and visitors by mitigating potential issues which may occur as a result of the special event. This chapter is adopted to ensure that the special events do not create disturbances, become a nuisance, threaten life, health, and property, disrupt traffic, or threaten or damage private or public property. It is not the intent of this ordinance to regulate in any manner the content of speech or infringe upon the right to assemble, except for time, place and manner regulations.

3-10-2: DEFINITIONS:

For the purposes of this chapter, the following words and phrases shall be defined as set forth in this section.

APPLICANT: The individual event organizer and the organization responsible for the event and the payment of fees.

ATHLETIC EVENT: An organized competitive or recreational event in which a group of people collectively engage in a sport or form of physical exercise, including, but not limited to, running, jogging, walking, bicycling or skating, held on any public or private property.

CITY EVENT: A special event that is organized and operated by the city, whether directly or by contract with a third party operator.

OUTDOOR SALES EVENT: An organized event in which a group of people or an organization engages in the sale of product including but not limited to, displays and exhibitions, farmers markets, craft fairs, outdoor sales, tent sales and other similar activities.

FILMING EVENT: Filming of a media broadcast (other than for news purposes), filming of a motion picture, television broadcast and digital media production.

SPECIAL EVENT: is a temporary event of any of the following or a combination of the following acts:

- A. Any athletic event, entertainment event, parade, carnival, circus, dance, musical event, rodeo event, fighting event, racing event, live shows, fairs, concerts, block parties, filming event, or outdoor sales event, whether held for profit, nonprofit or charitable purposes held on private or public property within the city, and is a temporary event.

- B. Any organized assemblage at any public park or other city property which gathers for a common purpose or event under the direction and control of a person or entity and which uses more services, amusement devices such as stages, inflatable devices or temporary structures, or equipment, whether provided by the city or a third party, than normally provided to groups which reserve park facilities or other city owned facilities.
- C. Events held at the following are not special events under this chapter:
1. A building that has a business located in it that has a current annual business license as an event business;
 2. A building with an assembly group classification under the International Building Code, as adopted by the city, so long as the event does not exceed the posted occupant load as approved by the city and has a current annual business license, if required; and
 3. A government owned facility.
- D. For purposes of this chapter, city events are not special events, however events sponsored by the city are special events.

TEMPORARY EVENT: Any event which occurs on a temporary basis of less than one year at a location where the applicant does not have an annual business license for the specific activities being held.

3-10-3: PERMIT REQUIRED:

It is unlawful for any person, corporation, partnership, association or other entity, public or private, to promote, advertise or hold a special event without first obtaining a special event permit.

3-10-4: APPLICATION REQUIREMENTS AND PROCEDURES:

- A. Submission: A completed application on city forms shall be submitted to the city at least forty-five (45) calendar days before the event is scheduled to take place, in order to allow sufficient time to process the application and to allow timely appeal to the city council in the event the application is denied. Applications for new events or reoccurring events with changes that submit the application less than forty-five (45) calendar days prior to the scheduled event shall not be accepted. Applications are not considered complete until all required information has been submitted to the city.
- B. Advertising: No advertising of a special event shall be permitted until city approval of the special event is granted and a special event permit is issued.

- C. Inspections: Authorized law enforcement officers, fire control officers, and other government personnel shall be permitted free access to the event to make inspections to ensure compliance with all city, state, and federal laws. All government personnel shall comply with the Fourth Amendment of the United States Constitution at all times during an inspection.

3-10-5: INSURANCE REQUIREMENT:

- A. Insurance: The applicant, vendors, exhibitors, and concessionaires of a special event held on city property shall procure and maintain commercial general liability insurance in the amount required by the city to protect the city against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the event. Such insurance shall provide the following and shall be submitted to the city on an insurance certificate which shall include the following:
1. The name and address of the insured.
 2. City shall be named as an additional primary insured and non-contributory on the General Liability Certificate.
 3. The location of the operations to which the insurance applies.
 4. The number of the policy and the type or types of insurance in force thereunder on the date of the certificate.
 5. The expiration date of the policy and the limit or limits of liability thereunder on the date of the certificate.
 6. A statement that all coverage is on an occurrence basis rather than a claims basis.
 7. A provision that the policy or policies will not be cancelled, denied renewal, or reduced in coverage until at least 30 days after written notice has been received by city.
 8. Name, address, and telephone number of the insurance company's agent.
- B. WORKER'S COMPENSATION INSURANCE: Applicant shall procure and maintain Worker's Compensation Insurance as required by Utah law.
- C. No special event permit shall be issued until the applicant and all vendors, exhibitors, or concessioners participating in the event submit to the city a certificate of insurance as required in this chapter.

3-10-6: FEES:

- A. Along with the application for a special event permit, the applicant shall pay any applicable special event application fees and city cost recovery fees.
- B. City Cost Recovery Fees: Extra city services will be provided for special events as determined by the city to be needed to protect the health, safety and welfare of the public and shall be paid by the applicant.
1. City costs include, but are not limited to, police, fire, park maintenance, power, water, road closures, and cleanup of city facilities before, during, or after the event, and other costs to city directly attributable to the special event.
 2. Before city approval is granted to hold the event, the applicant shall pay the deposit and estimated city fees as determined by the city based on the application, the applicant's past event history with the city, and experience with similar events.
- C. Invoice: The city may mail or deliver to the permit holder an invoice for the cost of city services provided by the city, and any costs incurred by the city in restoring the site. If the amount exceeds any city cost recovery fees paid in advance, the applicant shall pay the unpaid portion of the invoice amount within thirty (30) days of the date that the invoice was mailed or delivered. If the amount is less than the city cost recovery fees paid prior to issuance of the permit, then the remaining amount shall be returned to the applicant.

3-10-7: APPLICATION REVIEW, APPROVAL AND ISSUANCE: The city manager, or a designee, shall review and either approve, approve with conditions, or deny the request for a special event permit. The city manager may refer the request for a special event permit to city council for approval.

3-10-8: GROUNDS FOR DENIAL:

- A. Grounds for Denial: The special event application may be denied by the city if:
1. The proposed special event violates a law, ordinance, policy, procedure, or regulation or poses a danger or threat to the public health, safety or welfare, or causes unreasonable inconvenience or cost to the public;
 2. The proposed special event is not consistent with the intended nature and use of the requested city property;
 3. The proposed special event is scheduled at a place and time that could disrupt or interfere with an already approved special event;
 4. The proposed location or building is not adequate to accommodate the proposed special event such as parking, sanitation facilities, and health or safety codes, or the nature of the proposed special event is such that the city, or the applicant

does not have sufficient resources available to ensure the health, safety, and welfare of special event participants or the general public;

5. The permit application contains a material falsehood or misrepresentation;
6. The applicant has failed to pay a debt to the city including costs incurred during a prior special event;
7. Incomplete permit applications; and
8. The applicant or any person on whose behalf the application for a permit was made has on prior occasions:
 - a. Damaged city property, if the applicant is for an the event on city property; or
 - b. Made material misrepresentations regarding the nature or scope of an event or activity previously permitted; or
 - c. Has violated the terms of prior permits issued to or on behalf of the applicant.

B. Notice: If a special event permit application is denied, the city shall notify the applicant in writing of the reason or reasons for the denial.

3-10-9: APPEAL PROCEDURES:

Any applicant for a special event permit desiring to appeal an administrative decision concerning the denial or modification of a special event permit may petition the city council if the decision was made by the city manager. Any decision made by the city council is final. All appeals shall be in writing, shall state the specific grounds for the appeal, and shall be delivered to the city recorder within five (5) calendar days after the date the applicant received notice of the denial. An applicant may appeal the city council's decision by seeking judicial review with the District Court, which review shall be limited to a review of the record. The District Court shall presume the city council's decision is valid and shall review the record to determine whether or not the decision was arbitrary, capricious or illegal.

3-10-10: VIOLATION:

A violation of this chapter shall be a class B misdemeanor.

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this ____
day of _____, 2015.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

DRAFT

DRAFTAgenda Item Number : **5A**

Request For Council Action

Date Submitted 2015-10-05 17:33:42**Applicant** Gary Sanders**Quick Title** Fees for Third Floor rentals (Dixie Academy)**Subject** It has been requested by Mayor and Council that we resume renting the third floor of the Dixie Academy building for private uses. We are requesting approval of the attached rate structure.

Discussion We currently charge \$900 for the full day rental of the third floor. Our research shows us that we are a little lower than many facilities in the area. we do not include linens and dishes and silverware but we do include tables, chairs, technology and one staff person. We have added staff if the projected number of attendees was high or if the nature of the event proposed greater need such as a dance. We charge \$250 as a deposit which is comparable to several facilities and higher than others. We do think that we need to be able to add staff as needed to give us more control and propose that that decision be based on projected numbers. One concern has to do with possible impacts on the Children's Museum and whether each rental would impose on the museum the need to have security for their exhibits. We request approval to charge: \$1000 for an all day block of time, \$25.00 per hour for additional staff as required, 3. and \$500 for a refundable deposit. All day hours are 8 AM to 11 pm.

Cost \$0.00

City Manager Recommendation Recommend approval of this fee schedule as we continue to have requests to use this facility.

Action Taken**Requested by** Kent Perkins**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

EVENT CENTER	CAPACITY	\$	DEPOSIT
The Fall Event Center 986-7171	400	\$530 7a-3p (one level) \$2990 7a-10p all building includes tables & linens & technology	\$0 charge for damages
The Bell Tower	200 sit down 400 open house	\$1100 facility only \$3400 facility & food service	\$0 charge for damages
Green Gate Village	Renovation	not available currently	
Sand Hollow Golf Course food & beverage mgr. David Leavitt 435-864-7317	120 includes 55 chairs plus \$2.00/per chair to set up & to take down outdoor space	\$1,000 plus \$2500 - 3500 food \$500 no chairs	*****Must use preferred wedding planner or + \$1,000
Washington City 656-6360	220 seated	\$750 \$50/hr weekday \$100/hr weekend	25%
Alumni House via internet	140	NON-Wedding \$400 reg \$375 alumni up to 4 hrs \$775 reg \$725 alumni more than 4 hrs additional hours @ \$100 plus incremental ie; linens, mic... Wedding \$675 reg \$625 alumni up to 8 hrs plus incremental ie; linens, mic...	\$100 \$100 plus 50%
The Inn at Entrada Left msg - no prices on internet 986-2202			
The Ledges 634-4651 Left mgs - no prices in internet			
Sunbrook 674-2002 run by: Community Association Mgmt	125 seated able to increase if using outside space	Non-homeowner \$1000 Entire building 8a-10p includes use of dishes, glassware & Silverware \$650 4hrs	\$250

CITY OF ST. GEORGE, UTAH
RESOLUTION NO. _____

**A RESOLUTION APPROVING THE
FEE SCHEDULE TO RENT THE DIXIE ACADEMY
TOP FLOOR**

WHEREAS, The City Council is desirous of renting the Dixie Academy Top Floor area for community uses; and

WHEREAS, The City Council desires to charge a reasonable fee for such rentals; and

WHEREAS, the City believes that charging a fee is in the best interest of the citizens of the City of St. George as those individuals/entities who rent The Dixie Academy Top Floor, should cover the costs incurred by the City related to such rental;

NOW, THEREFORE, BE IT RESOLVED by the St. George City Council:

The attached fee schedule, Exhibit A, is adopted and shall be used to implement the rental of The Dixie Academy Top Floor

This resolution shall become effective immediately.

PASSED AND ADOPTED by the City Council of the City of St. George, this _____ day of _____, 2015.

Jon Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

EXHIBIT "A"

CITY OF ST. GEORGE LEISURE SERVICES DEPARTMENT

THE DIXIE ACADEMY TOP FLOOR RENTAL RATES

Current Fee Schedule:

\$900	12 hr. continuous block	\$250 Deposit
\$120	Per hour – weekdays	\$250 Deposit
\$150	Per hour - weekends	\$250 Deposit

ALL EVENTS OVER BY 11:00 P.M. AND DOORS LOCKED

One city staff included.

Proposed Fee Schedule as of October 1, 2015

\$1000	8 AM to 11:00 PM	\$500 Deposit
\$120	Per hour – weekdays	\$250 Deposit
\$150	Per hour - weekends	\$250 Deposit

ALL EVENTS OVER BY 11:00 P.M. AND DOORS LOCKED

One city staff included.

Additional staff as determined at a rate of \$25/hr.

DRAFTAgenda Item Number : **6A**

Request For Council Action

Date Submitted 2015-10-08 18:42:15**Applicant** Melynda Thorpe**Quick Title** George Streetfest Sponsorship**Subject** Consider approval of a sponsorship for the George Streetfest on Main

Discussion George Streetfest organizers are proposing that the City continue its sponsorship of the event on Main Street through the end of FY 2016 (8 months) at the same level it has previously. This includes traffic control, stage, marketing on city resources, waiving fees associated with the special event and \$2,300 in hard cost sponsorship. This will require a budget opening for FY 2015-2016 budget.

Cost \$18,400

City Manager Recommendation Recommend approval as discussed in the work meeting held on Oct. 8, 2015.

Action Taken**Requested by** Marc Mortensen**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

OCT. 15, 2015



REQUEST FOR SPONSORSHIP & SUPPORT OF ST. GEORGE CITY

Together with the Downtown Business Merchants Group, our goal at Emceesquare Media & Events is to continue to bring our community together at the heart of Historic Downtown St. George for an ongoing, monthly nightlife event that offers something for everyone. We request continuing support and sponsorship from St. George City through November and December 2015, and to continue through December 31, 2016. At the close of 2016, we will request an opportunity to review and renew terms of sponsorship.

Continuing:

- Contribute \$2,000/month for events Nov. 2015 through December 2016
- Block off Main Street from St. George Blvd. to Tabernacle Street, and from Tabernacle to 100 E.
- Provide Event Parking signage
- Provide quality stage with lighting
- Provide fire barrels in cold months with firemen to supervise
- Allow for one-time \$500 alcohol use permit fee 2016 (assume Nov., Dec. 2015 in current permit)
- Provide continued promotion on the City website and digital billboards
- One SunTran side panel transit ad
- One advertorial per issue of Inside St. George

Additional:

- Street closure one hour earlier (2 p.m.) to allow for additional, needed setup time.
- Install adequate power/lighting to Tabernacle Street to support DJ
- Install culinary water line to Tabernacle
- Contribute \$300 currently being paid to outsource sound, event organizers will sub contract and manage
- Electric Theater: open and staffed for 10-midnight movie – movie purchase to be covered by sponsors

DRAFTAgenda Item Number : **6B**

Request For Council Action

Date Submitted 2015-10-05 14:27:29**Applicant** PC**Quick Title** PC Report from Oct 13, 2015**Subject** Consider the Planning Commission report from the meeting on October 13, 2015.**Discussion** The PC had a big agenda for Oct 13th. However, most items are just setting the public hearing dates. Other items included several preliminary plats, final plats, BDCSP, and a CUP. The CUP is for a proposed apartment complex to exceed 35' in height. The CUP is also listed separately on the agenda.**Cost** \$0.00**City Manager Recommendation** Lots of activity at the planning commission. Preliminary and final plats and a CUP for a height variance are major items.**Action Taken****Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH

PLANNING COMMISSION REPORT: OCTOBER 13, 2015
CITY COUNCIL MEETING: OCTOBER 15, 2015

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR NOVEMBER 5, 2015**

- A. Consider a General Plan Amendment from OS (Open Space / Golf Course) to LDR (Low Density Residential), MDR (Medium Density Residential), and HDR (High Density Residential) on approximately 22.33 acres. The owner is **Bloomington Country Club** and the representative is Mr. Darcy Stewart, Managing Member. The representative is Mr. Rick Rosenberg, Rosenberg Associates. The Bloomington Golf Course, Country Club, and residences are located off of Bloomington Drive and generally westerly of the Virgin River. Case No. 2015-GPA-009 (Staff – John Willis)
(PC recommends approval 7:0)
- B. Consider a zone change amendment request for a proposed site plan layout, elevations, colors and materials, and to add the ‘use’ of a “**Skilled Nursing Facility**” to the previously approved use list (*assisted living*). The property is zoned PD-C (Planned Development Commercial) and is located at approximately 2000 East Riverside Drive. The applicant is MWE St George Medicval Properties, the owner is Simlew LC, and the representative is Mr. Rich Lewis. Case No. 2015-ZCA-021 (Staff – Ray Snyder)
(PC recommends approval 7:0)
- C. Consider a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to C-3 (General Commercial) on 2.55 acres. The owner is M.C. Layton Investments, L.C. The applicant is Jennings Investments and the representative is Mr. Gilbert Jennings. The property is generally located between **Black Ridge Drive** and Bluff Street. Case No. 2015-ZC-022 (Staff – John Willis)
(PC recommends approval 7:0)
- D. Consider a zone change from R-1-7 (Single Family Residential 7,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 4.78 acres. The proposed development is called “**The Residences at 450 North Street.**” The owner is Dixie Endeavor and the representative is Mr. David Nasal. The property is located on 450 North Street between 2450 East and 3050 East Streets. Case No. 2015-ZC-020-B (Staff – John Willis)
(PC recommends denial 4:2)

2. **BUILDING DESIGN CONCEPTUAL SITE PLAN (BDCSP)**

Note: This was heard at PC on 5/26/2015, but was deemed not ready for CC until this date

Consider a **building design and conceptual site plan** review for the construction of a multi-family four (4) story above ground apartment complex called "**Catamaran Plaza**" with associated two (2) levels of underground parking. This project would provide 164 units in 1, 2, & 3 bedroom units. The property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments. The zoning is R-3 (Multi-Family). The applicant is MVA Properties, Mr. Jared Nielson and the representative is Mr. Rob Reid, Rosenberg Associates. Case No. 2015-CUP-008 (Staff – Ray Snyder)

3. **CONDITIONAL USE PERMIT (CUP)**

Note: Heard at PC on 5/26/2015, but deemed not ready for CC until this date

Consider a **height** request to construct a multi-family four (4) story above ground apartment complex called "**Catamaran Plaza**" with associated two (2) levels of underground parking that would be approximately fifty-eight feet (58') above ground and the courtyard in the rear would be approximately forty-seven feet (47') high above ground which would exceed the allowable maximum building height of thirty-five feet (35') unless the City Council grants a CUP (conditional use permit) for a greater height as per city Code 10-10-4. The property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments. The zoning is R-3 (Multi-Family). The applicant is MVA Properties, Mr. Jared Nielson and the representative is Mr. Rob Reid, Rosenberg Associates. Case No. 2015-CUP-008 (Staff – Ray Snyder)

4. **FINAL PLATS (FP)**

- A. Consider approval of a ten (10) lot residential subdivision Final Plat for "**Desert Crest Phase 2.**" The property is zoned PD-R (Planned Development Residential) and is located at approximately 3600 East and 6000 South (north side of Desert Canyons Parkway). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-044. (Staff – Wes Jenkins)
- B. Consider approval of a twenty-one (21) lot residential subdivision Final Plat for "**Desert Ridge Phase 1.**" The property is zoned PD-R (Planned Development Residential) and is located at approximately 3640 East Desert Canyons Parkway (north side of Desert Canyon Parkway). The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-037. (Staff – Wes Jenkins)

5. **FINAL PLAT AMENDMENT (FPA)**

Consider approval of an amended twenty-three (23) unit subdivision final plat for **"Boulder Springs Villas Phase 3 Amended."** The property is zoned PD-R (Planned Development Residential) and is located at 1620 East 1450 South (units 36, 38, 40, and 42). The representative is Mr. Brandon Anderson, Rosenberg Associates. Case No. 2015-FPA-049. (Staff - Wes Jenkins)

6. **PRELIMINARY PLATS (PP)**

A. Consider approval of a preliminary plat for a ten (10) lot residential subdivision development called **"Tonaquint Terrace Phase 4."** The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 1330 West 2440 South. Case No. 2015-PP-027 (Staff – Wes Jenkins).

B. Consider approval of a preliminary plat for a three (3) lot residential subdivision development called **"Tonaquint Heights Phase 3."** The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned R-1-40 (Single Family Residential 40,000 sq. ft. minimum lot size) and is located at 1330 West 2440 South. Case No. 2015-PP-028 (Staff – Wes Jenkins).

7. **OTHER BUSINESS**

A. For one hour and 25 minutes (*1 hr. 25 min.*) a General Plan Amendment (GPA) was discussed. The council chamber was full and the overflow area had to be opened to accommodate the interested public in attendance. During the public hearing portion, approximately 6 residents spoke in favor and 3 spoke in opposition. The applicant spoke and answered numerous questions. At length the Planning Commission considered and recommended approval (*unanimous vote 7:0*) of a GPA from OS (Open Space / Golf Course) to LDR (Low Density Residential), MDR (Medium Density Residential), and HDR (High Density Residential) on approximately 22.33 acres. The owner is **Bloomington Country Club** and the representative is Mr. Darcy Stewart, Managing Member. The representative is Mr. Rick Rosenberg, Rosenberg Associates. The Bloomington Golf Course, Country Club, and residences are located off of Bloomington Drive and generally westerly of the Virgin River. Case No. 2015-GPA-009 (Staff – John Willis)

B. For ten minutes (*10 min.*) the Planning Commission considered a zone change amendment request for a proposed site plan layout, elevations, colors and materials, and to add the 'use' of a **"Skilled Nursing Facility"** to the previously approved use list (*assisted living*). The property is zoned PD-C (Planned

Development Commercial) and is located at approximately 2000 East Riverside Drive. The applicant is MWE St George Medical Properties, the owner is Simlew LC, and the representative is Mr. Rich Lewis. Case No. 2015-ZCA-021 (Staff – Ray Snyder). No public comments were made. The Planning Commission recommended approval (*unanimous vote 7:0*)

- C. For six minutes (6 min.) the Planning Commission considered a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to C-3 (General Commercial) on 2.55 acres. The owner is M.C. Layton Investments, L.C. The applicant is Jennings Investments and the representative is Mr. Gilbert Jennings. The property is generally located between **Black Ridge Drive** and Bluff Street. Case No. 2015-ZC-022 (Staff – John Willis). No public comments were made. The Planning Commission recommended approval (*unanimous vote 7:0*)
- D. For approximately one hour (1 hr.) a Zone Change (ZC) was discussed. In attendance were approximately 20-25 residents. During the public hearing portion, initially there was one spokesperson for the group, but then three other people also came forward to speak in opposition. The project representative spoke and answered numerous questions. The ZC request is to consider a zone change from R-1-7 (Single Family Residential 7,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 4.78 acres. The proposed development is called “**The Residences at 450 North Street**” and was presented as ten (10) separate buildings and each building would be a fourplex to be under separate (investor) ownership. The owner is Dixie Endeavor and the representative is Mr. David Nasal. The property is located on 450 North Street between 2450 East and 3050 East Streets. Case No. 2015-ZC-020-B (Staff – John Willis). A motion was made to recommend approval, but failed (2:4). A second motion was made to deny the ZC and it passed (4:2). (*The PC recommends denial of the ZC (4:2)*)
- E. For approximately one hour (1 hr.) The Planning Commission approved a **reduction of the required side yard setback** of ten feet (10’) located along the west and east property lines to a zero (-0’-) setback for the proposed 60,000 sq. ft. boat storage building and for a reduction of the required side yard setback of ten feet (10’) located along the east property line to a zero setback (-0’-) setback for the proposed 7,000 sq. ft. office and storage building. The property is zoned M-1 (Industrial) and is located at 750 North 2950 East. Case No. 2015-RS-002 (Staff – Ray Snyder) (*vote 6:0*)
- F. Pulled from the agenda was a request to consider approval of a preliminary plat for a fourteen (14) lot residential subdivision development called “**Hidden Pinyon Phase 3 and 4.**” The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned PD-R (Planned Development Residential) and is located at 5700 North Hidden Pinyon Dr. Case No. 2015-PP-029 (Staff – Wes Jenkins).

- G. Pulled from the agenda was a request to consider approval of a preliminary plat for an eighteen (18) lot residential subdivision development called **“Northgate Peaks Phase 3 and 4.”** The applicant is Development Solutions group. The representative is Mr. Logan Blake. The property is zoned PD-R (Planned Development Residential) and is located at 5700 North Northgate Peaks Dr. Case No. 2015-PP-030 (Staff – Wes Jenkins).

PCR ITEM 2

PLANNING COMMISSION REPORT OF: **05/26/2015**

CITY COUNCIL MEETING: **10/15/2015** (*Delayed by applicant*)

BUILDING DESIGN CONCEPTUAL SITE PLAN

Case # 2015-BDCSP-001

Request: To construct a multi-family four (4) story above ground apartment complex to be called "Catamaran Plaza."

Design Review: A BDCSP application is required because Section 10-7C-7.M "Design Review for Multi-Family Developments" requires the submittal of the application along with a site plan, elevation drawings, landscaping, and materials and color samples.

Project Overview: The property is currently vacant and the developer seeks permission to develop a multi-family residential 'apartment' project.

Units (Apartment): The applicant proposes 160 units.

Floor Plans: The apartments will be one, two, and three bedroom units ranging from 499 to 1,300 sq. ft. all within one building. The unit mix will be approx. 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units.

Reference - HS: Hillside Permit; Case No. 2015-HS-002
The HSRB (Hillside Review Board) met on 5/6/2015, the PC (Planning Commission) met on 5/12/2015, and CC (City Council) met and approved the hillside permit on 5/21/2015.

Reference – CUP: CUP (Conditional Use Permit); Case No. 2015-CUP-008 (also on this 10/15/2015 CC agenda)

Location: This property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and south of the existing Rebel Creek Ridge apartments.

APN:

APN	Acres	Comments
SG-5-2-28-3102	6.84	Applicant land – zoned R3
SG-5-2-28-310	32.02	Applicant land – zoned R-1-10
SG-5-2-28-3105	0.50	City Property – zoned R3 – subject to land sale
SG-5-2-28-321	0.70	UAMPS property – portion of - zoned R-1-10 - subject to land sale

Property Owner: Mr. Randy Simonsen
3535 Sugar Leo Road
St George, Utah 84790

Applicant: MVA Properties
Mr. Jared Nielson
399 N Main St, Suite 270
Logan, Utah 84321

Representative: Mr. Rob Reid
Rosenberg Associates
352 East Riverside Drive
St George, Utah 84790

Zoning: R-3 (6.84 ac.) (SG-5-2-28-3102) (HDR / LDR / OS) (Site)
R-1-10 (32.02 ac.) (SG-5-2-28-310) (LDR & OS) (Hillside)
R3 (0.50 ac.) (SG-5-2-28-3105) (LDR & COM)(City land)
R-1-10 (0.70 ac.) (SG-5-2-28-321) (COM – portion to purchase)(UAMPS)

General Plan: LDR / HDR / COM / OS (*see General Plan Graphic below*)
(*Note: HDR = 10 or more DU/AC*)

Area(s): There are four (4) parcels which total approximately 40 acres at the base of the East Bluff at 1990 East Street.

1. Approx. 6.84 acres (SG-5-2-28-3102)
2. Approx. 32.02 acres (SG-5-2-28-310)
3. Approx. 0.50 acres (SG-5-2-28-3105)
4. Approx. 0.70 acres (SG-5-2-28-321)

Bldg. Sq. Ft.:
(Proposed) Parking Level 1 = 24,500 sq. ft.
Parking Level 2 = 48,500 sq. ft.
1st Floor – Apartment = 48,500 sq. ft.
2nd Floor – Apartment = 48,500 sq. ft.
3rd Floor – Apartment = 48,500 sq. ft.
4th Floor – Apartment = 48,500 sq. ft.

Total square footage = 267,000 sq. ft. (building)

Lot Coverage: 16.5%

Bldg. Height(s): Reference Case No. 2015-CUP-008 - The proposed building height for multi-family apartments is four (4) stories above ground with two (2) levels of underground parking.

The height of the majority of the building is fifty-eight feet (58') and the courtyard in the rear of the building is forty-seven feet (47' - see exhibits).

The "H" shaped apartment building will be tucked in at the base of the bluff where it will not restrict any views from the homes on the bluff.

In addition to the apartment building, there are two smaller buildings; one is the leasing office and the other is the clubhouse. Both will be single story and will be below 35 feet.

Parking: Reduced Parking - The applicant desires to reduce parking spaces to 1.75 spaces per unit as provided in Section 10-19-4.

Spaces Required - Section 10-19-4.A.3 requires two (2) parking spaces per dwelling unit, at least one of which must be covered. Based upon 160 units, then $160 \times 2 = 320$ stalls

Location of Spaces - The applicant proposes 212 underground stalls and 132 surface parking stalls. The outside parking will have 43 spaces covered. There will be a grand total of approx. 344 stalls on site.

Guest Parking - Additionally, Section 10-19-4.A.3 requires that for a project with a density of 6 du/ac or more, the project shall provide guest parking in the amount of one (1) guest parking space per three (3) dwelling units. Based upon 160 units, then $160 / 3 = 53.33 = 53$ spaces.

Section 10-7C-7.O also requires guest parking.

Guest parking shall be located on premises and within two hundred feet (200') of the dwelling unit it is intended to serve.

The City Council upon recommendation of the Planning Commission may reduce the guest parking spaces where it finds evidence in support of a reduction in the required amount of guest parking spaces.

Total Spaces - $320 + 53$ (guest) = 373 spaces required.

Reduction - Section 10-19-4.A.3 allows the Planning Commission to grant a reduction in the requirement to one and one-half (1.5) spaces per unit where it can be shown that two (2) spaces per unit is an excessive amount of parking. No street parking shall be counted towards meeting the parking requirement. Tandem parking shall not count toward the parking requirement.

Adjustment – The project requires 373 spaces (resident & guest) and 344 spaces are proposed. This is a reduction of 29 spaces.

If the project were calculated at 1.5 spaces per unit, then $160 \times 1.5 = 240 + 53$ guest = 293. That would be 80 spaces less than required, but the applicant is asking for consideration of 29 less instead.

Comparison: The applicant has a similar apartment complex in Layton Utah which has 156 units with 272 parking spaces (including guest) and is designed at a 1.74 parking ratio. They claim that on a typical weekday night 12 spaces are not occupied and on a typical weekend night 48 spaces are not occupied.

Landscaping: Proposed 30% site landscaping = 89,124 sq. ft.

Adj. Land Uses: To the north is the existing 'Rebel Ridge' apartment complex. To the west will be vacant hillside and then single family residences on top of the ridge. To the south are vacant land and then the electrical substation.

Required Setbacks: Front: 25 ft. Side: 10 ft & 10 ft. Rear: 10 ft.

Proposed Setbacks: Front (1990 East Street): 283.72 ft.
Side (South): 118.70 ft.
Side (North): 80ft.
Rear (West): Varies; 577.91 to 665.91 ft.

Materials / Colors: (See submitted Materials & Colors Board)

Elevators: There will be three (3) elevators.

Amenities: The project shall comply with Section 10-7C-7.J "Recreation and Playground Areas" which requires developments with five (5) or more units to provide usable recreation or playground areas outside of the front yard setback with a minimum of 1,000 sq. ft. for the first 5 units with an additional 200 sq. ft. for each additional unit.

The project is planned with amenities which includes underground parking garage, climate conditioned interior corridors, a clubhouse, fitness center, resort style pool and spa, covered flex space, a sports court that will include facilities for both pickle ball and basketball, a fire pit, gas grills, a dog park, storage units on all levels of building, and all units will have private balconies.

Density Reg.: This project shall comply with Section 10-7C-5 “Density Regulations” for the R3 zone.

Density Transfer: The applicant requests to use a ‘density transfer bonus’ as permitted for in the Hillside Ordinance. The applicant wishes to move all units onto the approximately 6.84 acre parcel and leave the remaining acreage as untouched bluff / hillside.

Utilizing the density transfer is a great way for the community to be able to keep over 32 acres left in its natural state. The applicant has stated that it is desired to deed the 32 acres over to the City which will required a separate process.

Hillside Density: Per Section 10-13A-4.A

Slope	Dwelling Units (DU) / Acre
0 - 19	See underlying Zone
20 - 29	2 DU/acre (provided that clustered on 30% or less & 70% to remain undisturbed)
30 - 39	1 DU/10 acres (provided that no more than 5% of site is disturbed & 95% to remain undisturbed)
40 +	Development is not permitted

Hillside Density Bonus:

Per Section 10-13A-4 “Density and Disturbance Standards” of the Hillside Overlay Zone; Section 10-13A-4.A.1 reads . . . A “steep slope protection bonus” provides that each dwelling unit transferred from the 20-39% slopes into the 19% or less . . . within the same parcel or adjacent . . . under same ownership . . . is entitled to a transfer bonus of 1.0 DU for each du transferred from the 20-29% slope area and 2 DU for each transferred from the 30-39% slope area.

Calculated Density: The applicant desires to create 160 units which would ‘result’ in a density of 160 units / 6.84 acres = 23.39 du/ac. Staff has prepared the following charts to show the density calculations :

- A. Hillside / Large Parcel (APN SG-5-2-28-310) Approx. 32 acres (32.02) R-1-10 Zone & LDR General Plan. Due to the approved hillside permit, the hillside would remain undisturbed and the applicant would be able to transfer density to the smaller parcel in the form of 23.39 units.

Slope Range	Acres	Allowed Du/Ac	Calculation (allowed units per area)	Transfer Bonus (+)
0 – 19 %	5.75	3.2	$6.00 \times 3.2 = 18.40$ du/ac	--0--
20 – 29 %	9.16	2	$9.16 \times 2 = 18.32$ du/ac	18.32
30 – 39 %	8.37	1	1 du/ac = 1 (1 per 10 acres allowed)	2
40 – 100 %	8.74	0	$8.63 \times 0 = 0$	0
		((32.02))	[37.32] +	[20.32]

- B. **Site Area / Small Parcel** (APN SG-5-2-28-3102) Approx. 7 acres (6.84)
***R3 Zone & HDR General Plan.** By previous council approval of the hillside permit, and with the removal of the insignificant slopes over 20%, and with the conditions placed on the hillside permit, 100 % of the site may now be disturbed for development per R3 standards (Section 10-7C-5) as follows:

Total land size	=	297,950 SF	(6.84 acres)
1 st d/u in R3 zone	=	6,000 SF	= 1 unit

		291,950 SF	+
		-	
2 nd d/u in R3	=	2,000 SF	= 1 unit

		289,950 SF	+
		-	
3 rd & 4 th d/u	=	5,400 SF (2 x 2,700)	= 2 units

		284,550 SF	+
Remaining units	=	divided by 3,200 SF per unit	

		284,550 / 3,200	= 88.92 units

Total Units			= 92.92
			88.92 + 1 + 1 + 2 = 92.92)

Section 10-7C-5 density calculations

*In R-3;
1st unit = 6,000 SF
2nd unit = 2,000 SF
3rd & 4th = 2,700 / unit
Additional = 3,200 / unit

1st Floor – Apartment = 48,500 sq. ft.
2nd Floor – Apartment = 48,500 sq. ft.
3rd Floor – Apartment = 48,500 sq. ft.
4th Floor – Apartment = 48,500 sq. ft.

Total square footage = 267,000 sq. ft.

- C. **Large Parcel + Small Parcel Density**
 $37.32 + 20.32 + 92.92 = 150.44$ units = 150 units

- D. **City R3 & UAMPS R-1-10**
 $6.81 + 2.25 = 9.06 = 9$ units

E. Sum Total

150 + 9 = 159 units

F. Reference – Slope Legend – Small Parcel ‘prior’ to approved hillside permit by council (*only 19.44 units @ 3.2 du/ac*)

Slope Range	AC.	Allowed Du/Ac	Calculation (allowed units per area)	Transfer Bonus
0 – 19 %	5.31	3.2	5.31 x 3.2 = 16.99 du/ac	N/A
20 – 29 %	0.97	2	0.97 x 2 = 1.94 du/ac	N/A
30 – 39 %	0.51	1	0.51 x 1 = 0.51 du/ac	N/A
40 – 100 %	0.22	0	-	N/A

Lighting:

Street lights will be installed at the entrance adjacent to the public street. The exterior of the building will have decorative exterior lights and ‘can’ lights (shielded) attached to the building. Additional parking lights will be installed for parking levels both interior stalls and exterior stalls and all of the exterior, parking garage, and common lighting will be LED.

Access:

Access to the project is proposed from 1990 East Street as shown on the submitted site plan. The public street is 66 feet wide. The entrance location is based on St George City Planning staff recommendations. A T.I.S. (Traffic impact Study) has been completed for this project and will be reviewed by City Traffic Engineering. Note that the T.I.S. report is approximately 125 pages long and a copy is available for review as requested in the case file.

P.C.:

The Planning Commission recommended approval with the suggested conditions:

1. Building Design – The architectural design is approved as presented for the construction of a multi-family four (4) story above ground apartment complex called “Catamaran Plaza” including two levels of underground parking.
2. Colors & Materials – The colors & materials are approved as presented.
3. Site Plan – The layout of the site plan is approved as presented.
4. Parking Reduction - Allow a parking reduction to be 1.75 spaces per unit (as provided for in Section 10-19-4.A.3).
5. Parking Spaces Required – 160 units x 1.75 = 280 spaces (*Versus 160 x 2 = 320 without a reduction – or a difference of 40 spaces by allowing a reduction*)

6. Location of Parking Spaces – Permit 212 underground spaces and 132 surface spaces. Include 43 spaces to be covered (outside).
7. Guest Parking Spaces – Per Section 10-19-4.A.4; for a project with a density of 6 du/ac or more, one (1) guest parking space per each three (3) dwelling units is required. Using $160 \text{ units} / 3 = 53.33 = 53$ spaces. This may be reduced by council upon recommendation by the PC based upon supportive evidence for the reduction. The parking shall be on site within 200 ft. of the dwelling unit it is to serve.
8. Total Parking Spaces – Without a reduction = $320 + 53 = 373$ (this is resident & guest parking)
 - With a reduction = $280 + 53 = 333$ (resident & guest)
 - Result = 40 spaces less (@ 1.75/unit)

Note: If the project were calculated at 1.5 spaces per unit, then $160 \times 1.5 = 240 + 53 \text{ guest} = 293$. That would be 80 spaces less than required, but the applicant is asking for consideration of 40 less.

9. SPR – The applicant shall submit a SPR (Site Plan Review) application along with the required civil engineering plan set (cover sheet, site plan, grading plan, utility plan, detail sheets, erosion control plan, landscaping plans, photometric plan, etc.).
10. Density - The project shall comply with Section 10-7C-5 “Density Regulations” for the R3 zone.
11. Density Transfer - As permitted for in the Hillside Ordinance (Section 10-13A-4.A.1) – “Steep Slope Protection Bonus.” The applicant wishes to move all units onto the 6.82 acre parcel and leave the remaining hillside acreage (approx. 32 acres) as untouched bluff. Staff shall verify during plan check compliance with the ordinance.
12. Access – All access shall comply with applicable traffic standards and the T.I.S. (Traffic Impact Study).
13. Lighting – The applicant shall provide a photometric plan during plan check along with details of the proposed style of lighting to demonstrate ‘dark sky style’ friendly design is used.

AERIAL



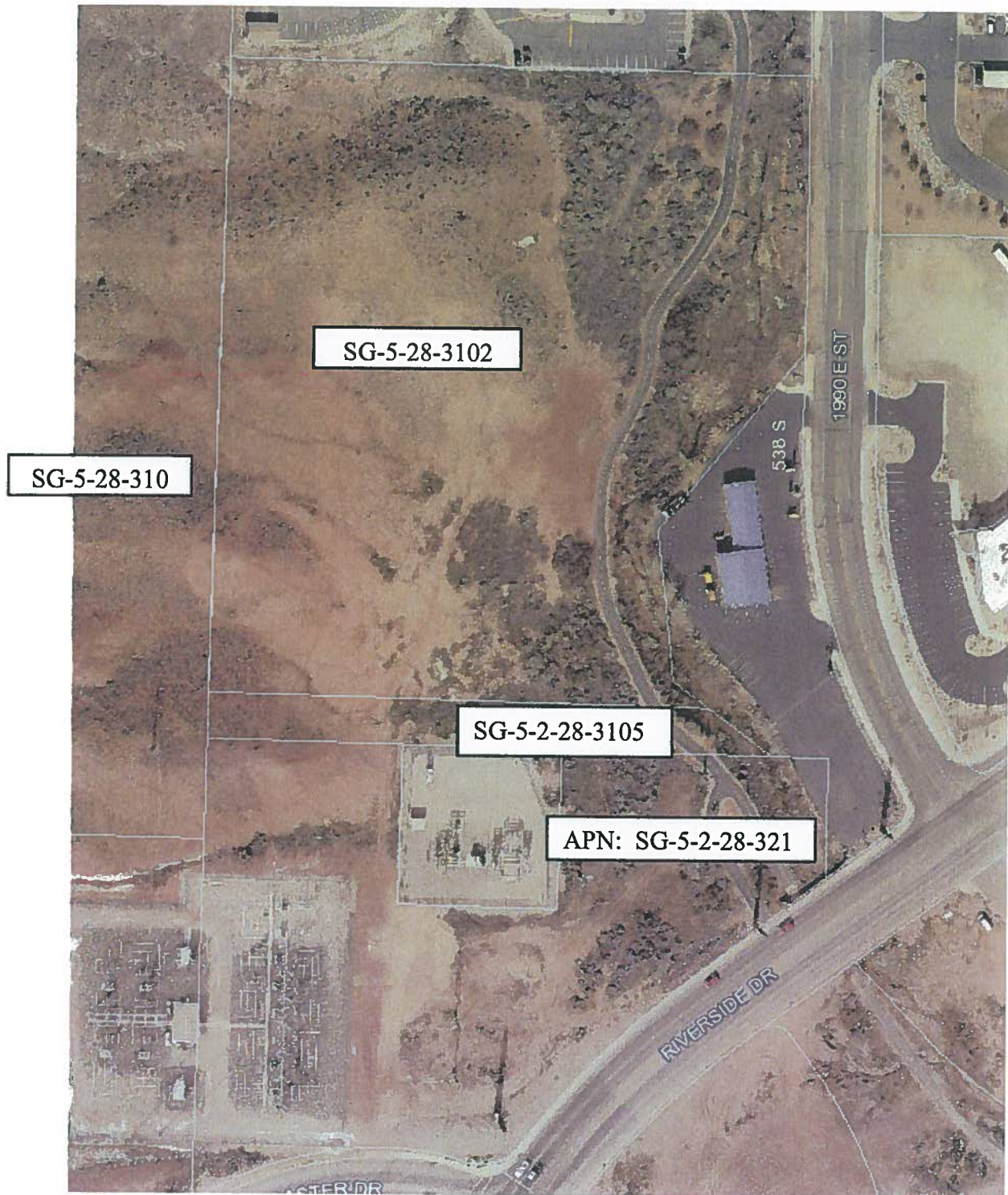
ZONING



GENERAL PLAN



PARCELS



APN: SG-5-2-28-310 - 32.02 acres



APN: SG-5-28-3102 - 6.84 acres

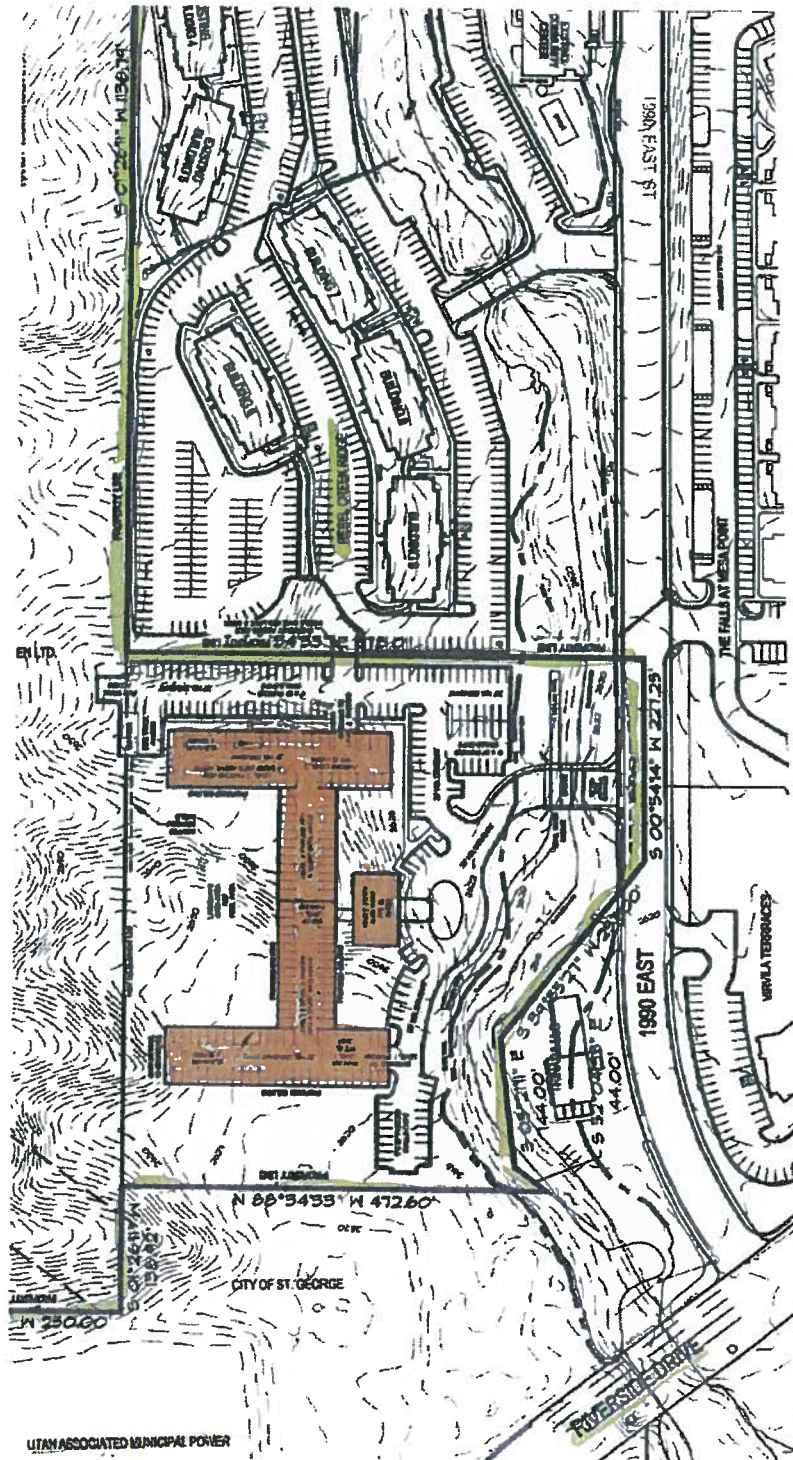


APN: SG-5-2-28-3105 - 0.50 acres

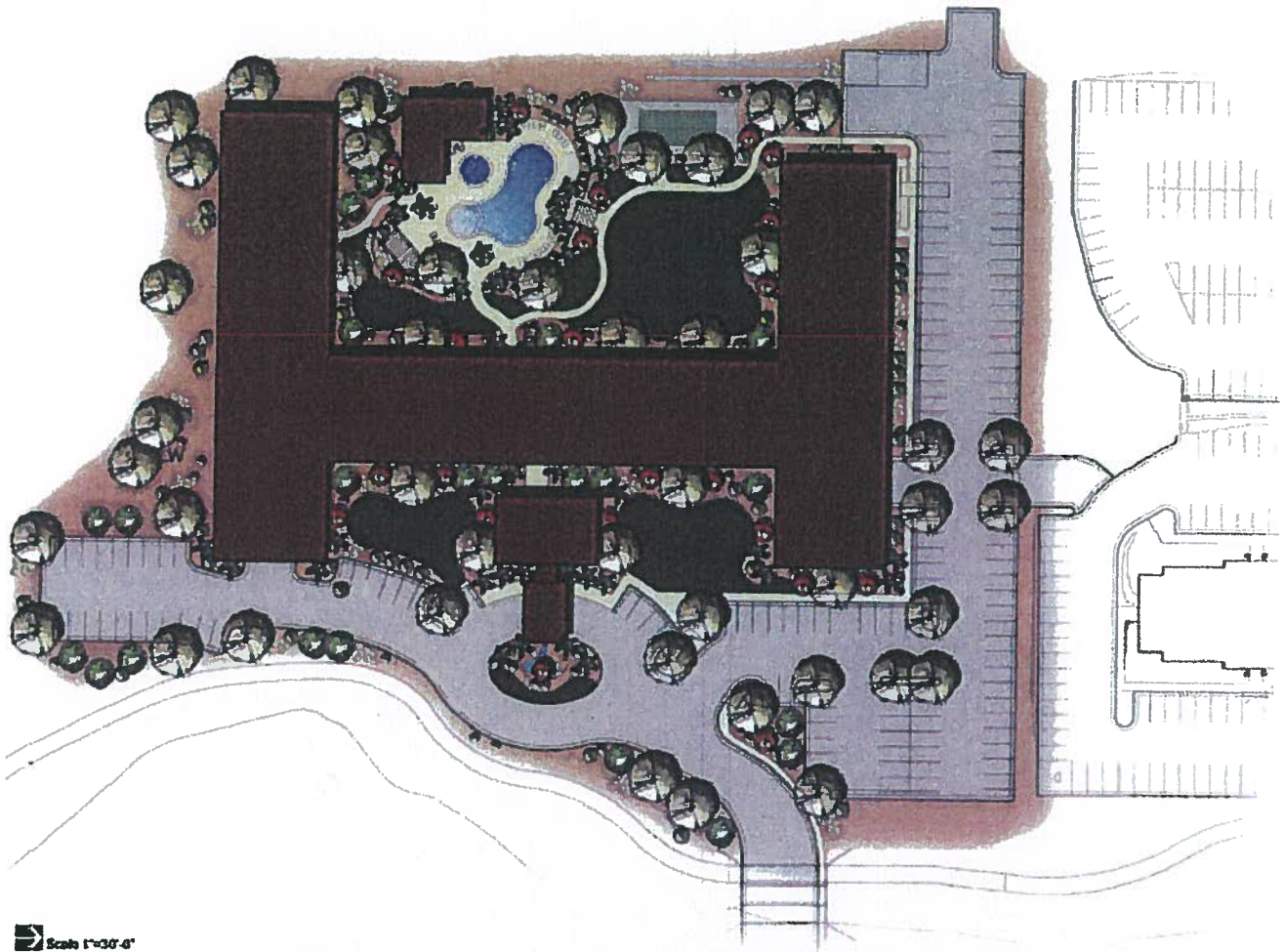


APN: SG-5-2-28-321 - 3.93 acres
only a portion of 0.70 to be purchased





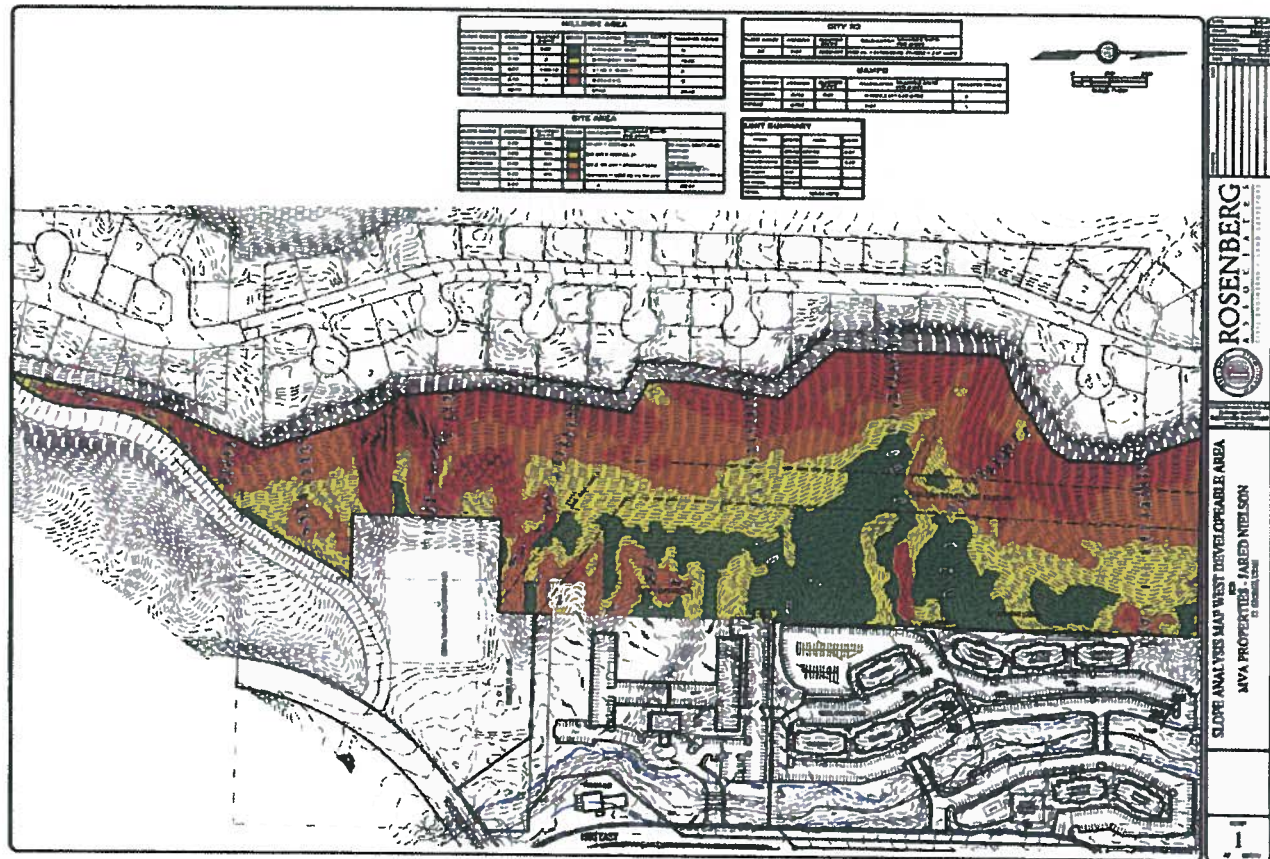
Colored Site Plan



Scale 1"=30'-0"

FOREMASTER RIDGE APARTMENTS
Colored Site Plan

Hillside Contour Map



ROSENBERG
SLOPE ANALYSIS MAP WEST DEVELOPABLE AREA
AVA PROPERTIES - JARED NELSON
11/1/2015

Rendering



Elevations

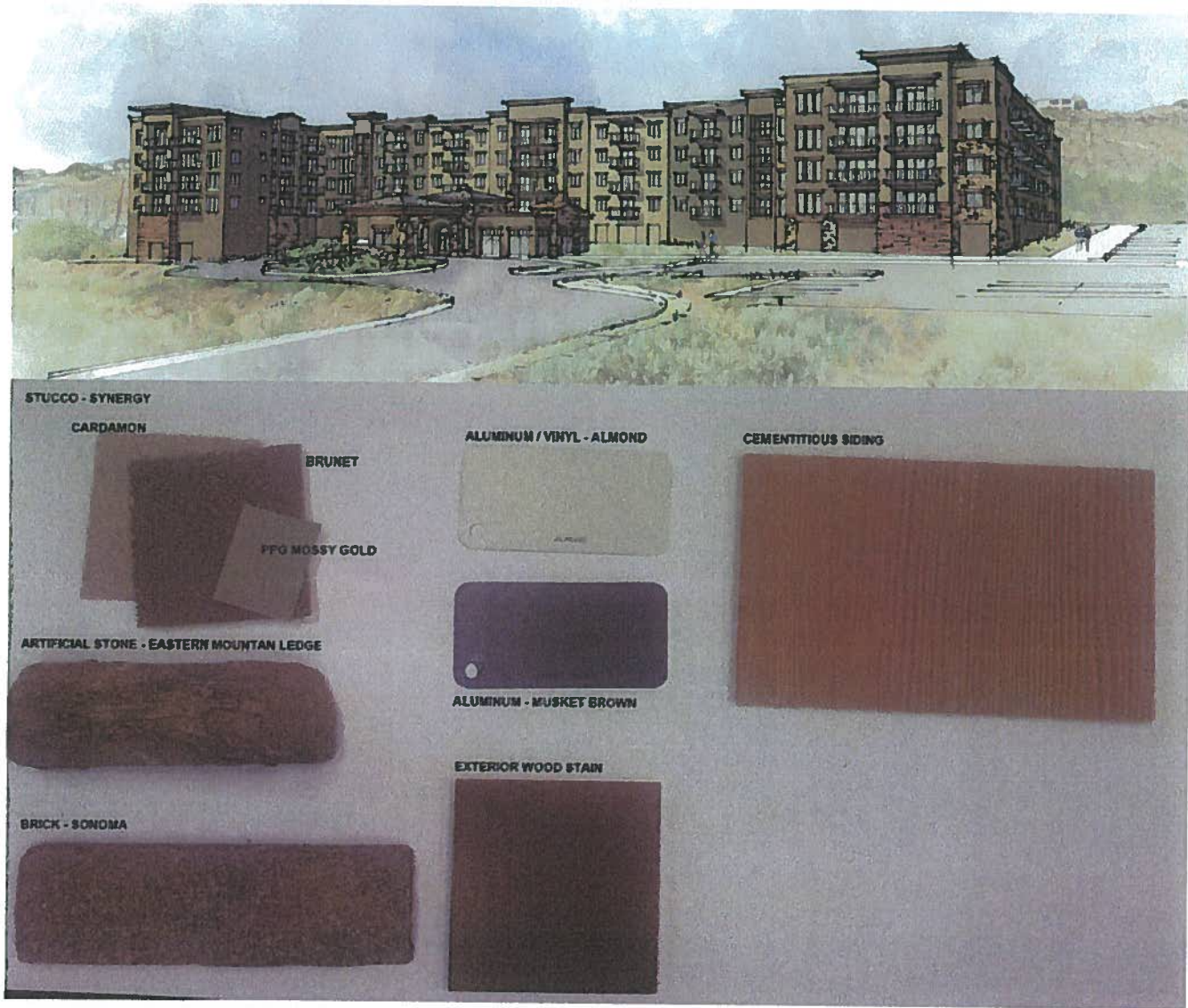


WEST EXTERIOR ELEVATION



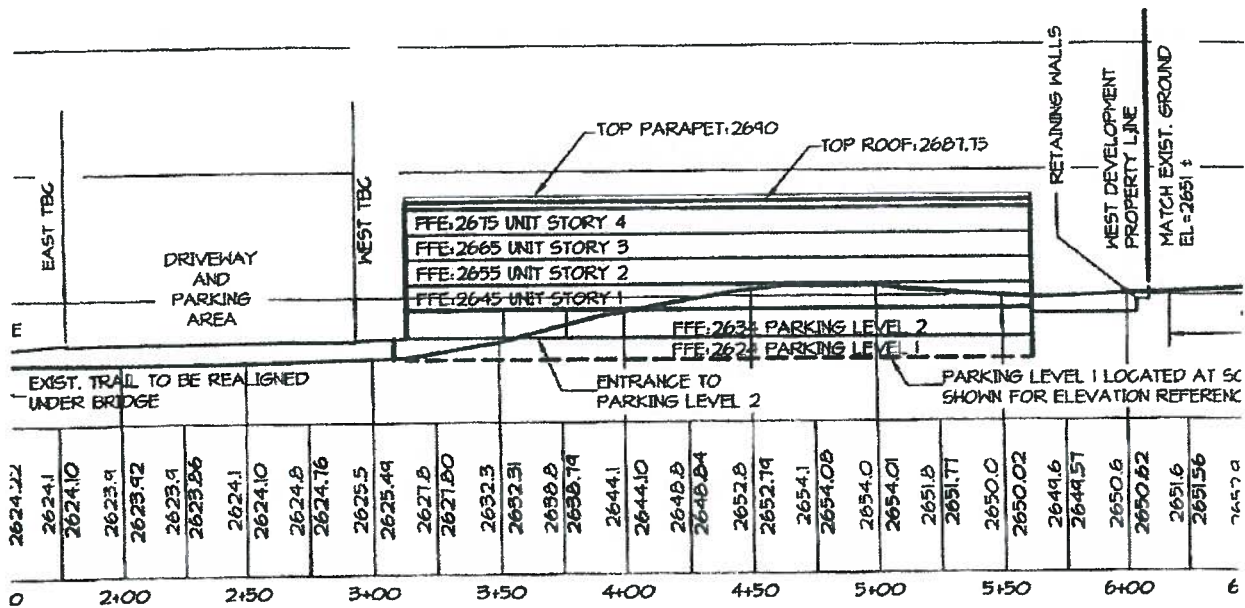
SOUTH EXTERIOR ELEVATION

Materials



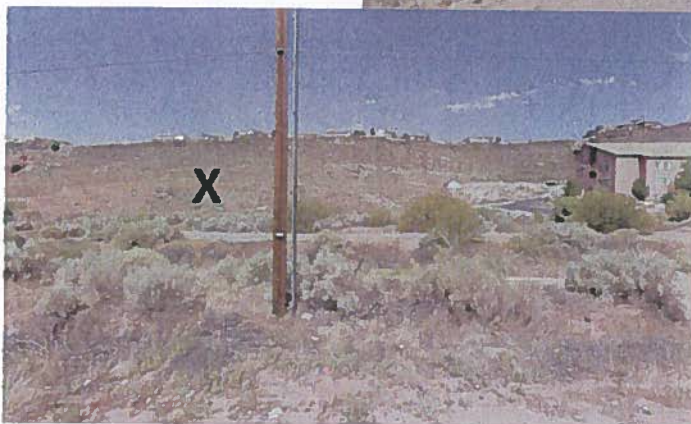
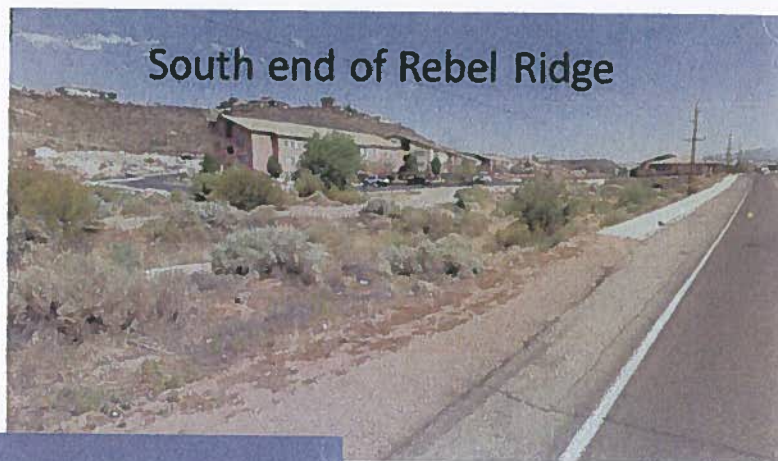
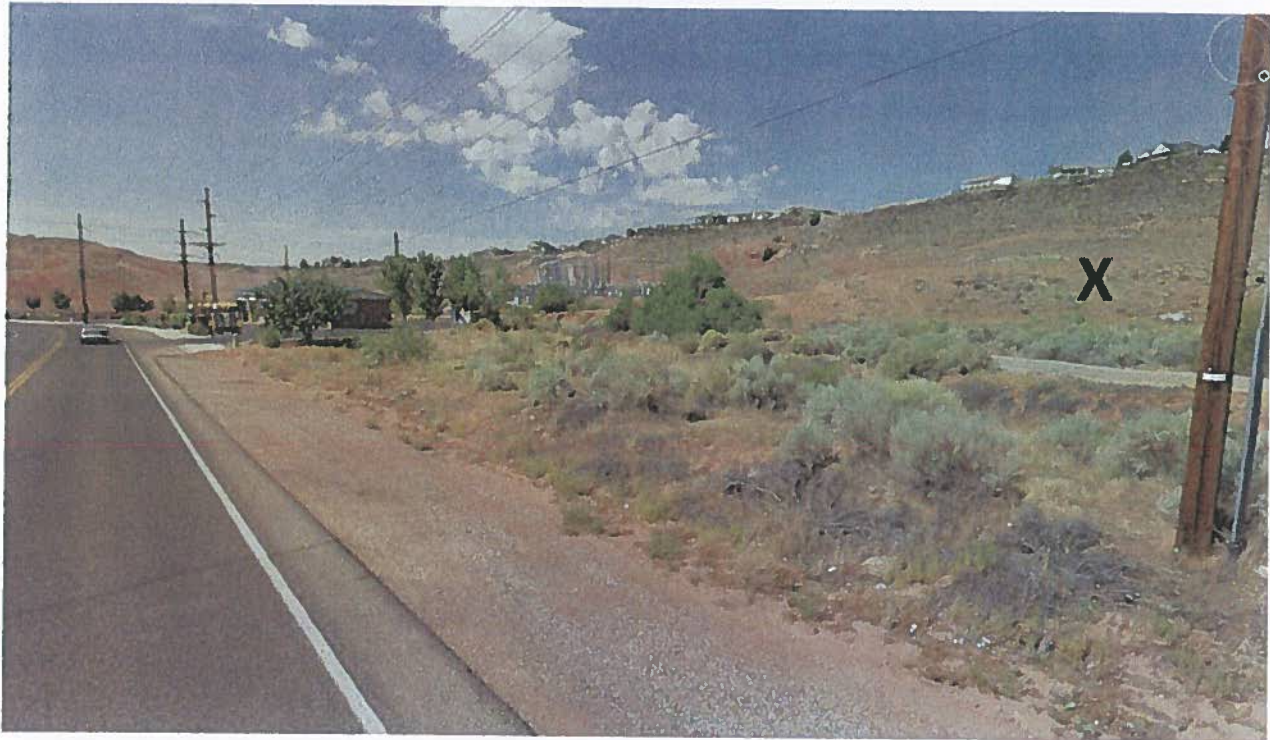
Height

(Levels of residency & parking shown)

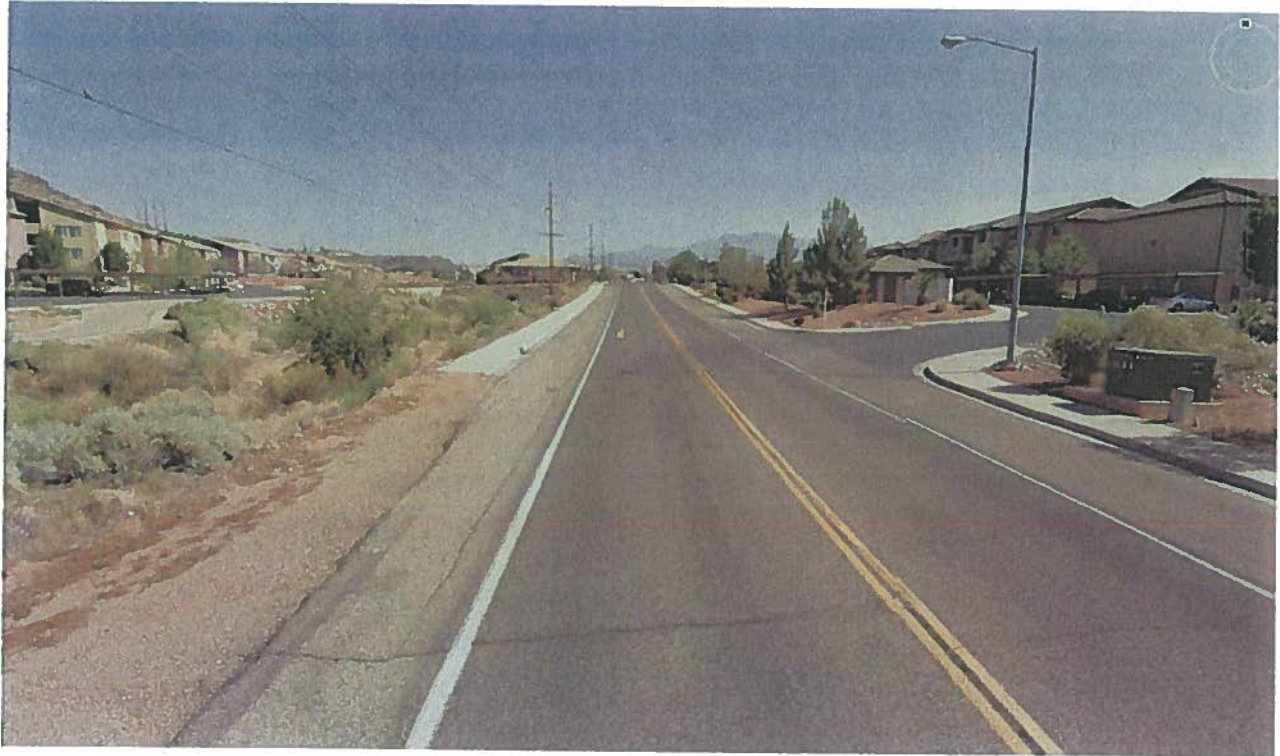


D

Photos



Site



View of 1990 East Street

PCR ITEM 4A

Final Plat

PLANNING COMMISSION AGENDA REPORT: 10/13/2015
CITY COUNCIL MEETING: 10/15/2015

FINAL PLAT

Desert Crest Phase 2

Case No. 2015-FP-044

Request: Approval of a 10 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at approximately 3600 East and 6000 South (north side of Desert Canyons Parkway)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval with recommended conditions:

1. Colored elevations shown are typical for proposed subdivision.
2. Subject to open space dedication / agreement
3. Subject to Legal Department review

THE OWNERS AND MORTGAGEES, BY SIGNING THIS PAID TO HERENT CONSENT THAT, UPON RECEIVING ANY SUBSEQUENT INSTRUMENT RECORDING WITH RESPECT TO SAID TRACT, THERE SHALL BE NO FURTHER ACTION REQUIRED BY THEM TO MAKE IT AVAILABLE ON THE LOTS WITHIN SAID TRACT, UPON THE FIRST TO OCCUR OF THE FOLLOWING REASONS:

- a) THE SALE OF THE LOT TO A THIRD PARTY BY THE OWNER, OR ANY SUCCESSOR IN INTEREST THERE TO;
- b) THE ISSUANCE OF A BUILDING PERMIT FOR CONSTRUCTION ON ANY PORTION OF THE LOT;
- c) THE EXPIRATION OF THE TERM OF THE LEASE;
- d) THE EXPIRATION OF THE DATE OF THE RECORDING OF THE PAID AS SET FORTH IN A PROMISSORY NOTE AND SECURITY AGREEMENT EXECUTED AND RECORDING WITH THIS SUBDIVISION PLAN.

THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT HEREBY ACKNOWLEDGES THE NOTIFICATION AND CONSENT TO IMPACT FEE OBLIGATION ON THIS PLAT.

ON THE _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, BARBARA G. HUELL, PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SIGNED THE FOREGOING DOCUMENT AND ACKNOWLEDGED BEFORE ME THAT SHE SIGNED IT VOLUNTARILY FOR ITS STATED PURPOSE.

NOTARY PUBLIC

THE UNDERSIGNED, ROCK SALISBURY, PRESIDENT OF SALISBURY DEVELOPERS, INC., DOES HEREBY ACKNOWLEDGE AND CONSENT TO THE TERMS AND CONDITIONS OF THE WASHINGTON COUNTY WATER CONSERVANCY DISTRICT IMPACT FEE ORIGATION AS STATED HEREON, FOR THE USES AND PURPOSES STATED THEREIN.

ON THE DAY OF 20 PERSONALLY APPEARED BEFORE ME, RICH SALESBURY, WHO BEING BY THE DUE SHOW, DID SAY THAT HE IS THE PRESIDENT OF SALESBURY DEVELOPERS, INC., A VTAH CORPORATION, AND THAT THE FOREGOING OWNER'S OWNERS ACKNOWLEDGEMENT OF WATER IMPACT FEES WAS SIGNED BY SAID CORPORATION BY AUTHORITY OF ITS BY-LAWS (ON A RESOLUTION OF ITS BOARD OF DIRECTORS), AND HE DID FULLY ACKNOWLEDGE TO ME THAT SUCH CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

1

WE, STATE BANK OF SOUTHERN ILLIAN, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY GIVE OUR CONSENT OF SAID TRACT OF LAND TO BE USED FOR THE USET AND PURPOSES DESCRIBED ON THIS PLAT AND JOINS IN ALL DEDICATIONS

BY: _____ TITLE: _____

STATE OF UTAH } ss
COUNTY OF WASHINGTON }

THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, TO BE SEEN BY ME, CARY S. WOOD, DO NOT SAY THAT ESBE IS THE _____ OF STATE OF SOUTHERN UTAH AND THAT ESBE EXECUTED THE FOREGOING MORTGAGE'S CONSENT TO OR ON BEHALF OF SAID CORPORATION BY AUTHORITY OF RESOLUTION OF ITS BOARD OF DIRECTORS AND ESBE DID ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR USES AND PURPOSES STATED THEREIN.

PART PUBLIC FULL NAME: _____
 PASSPORT NUMBER: _____
 COMMISSION EXPIRE S: _____
 PART PUBLIC COMMISSIONED IN UTAH
 ABOVE INFORMATION IS PROVIDED,
 STAMP IS REQUIRED PER UTAH CODE,
 E 46, CHAPTER 1, SECTION 16)

Abstract

TO OWNER'S CONSENT OF WATER IMPACT FEES

AND, STATE BANK OF SOUTHERN UTAH, MORTGAGEE OF THE HEREIN DESCRIBED TRACT OF LAND, DOES HEREBY CONSENT TO THE OWNER'S CONSENT OF WATER IMPACT FEES FOR THE GAS AND PURPOSES STATED THEREIN.

NAME: _____

DATE: _____

TE OF UTAH } 5.5

THIS DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____, OF STATE _____, BEING BY ME DULY SWORN, THAT S/HE IS THE _____ OF SOUTHERN UTILITY AND THAT S/HE EXECUTED THE FOREGOING MORTGAGEE'S CONSENT TO LENDER'S CONSENT OF WATER IMPACT FEES ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND S/HE DID ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

ART PUBLIC FULL NAME: _____
 COMMISSION NUMBER: _____
 COMMISSION EXPIRES: _____
 ART PUBLIC COMMISSIONED IN UTAH
 SOME INFORMATION IS PROVIDED,
 A MAP IS REQUIRED PER UTAH CODE,
 46, CHAPTER 1, SECTION 16)

Abstract

[illegible]

PCR ITEM 4B

Final Plat

PLANNING COMMISSION AGENDA REPORT: 10/13/2015
CITY COUNCIL MEETING: 10/15/2015

FINAL PLAT

Desert Ridge Phase 1

Case No. 2015-FP-037

Request: Approval of a 21 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at approximately 3640 East, Desert Canyons Parkway
(north side of Desert Canyon Parkway)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval with recommended conditions:

1. Colored elevations shown are typical for proposed subdivision.
2. Subject to open space dedication / agreement
3. Subject to Legal Department review

PCR ITEM 5

Final Plat Amendment

PLANNING COMMISSION AGENDA REPORT: 10/13/2015
CITY COUNCIL MEETING: 10/15/2015

FINAL PLAT AMENDMENT

Boulder Springs Villas Phase 3 Amended
Case No. 2015-FPA-049

Request: Approval of a 23 Unit Residential Subdivision Final Plat

Representative: Brandon Anderson, Rosenberg Associates
352 E. Riverside Drive #A2
St. George, UT 84790

Property: Located at 1620 East 1450 South (Units 36, 38, 40, and 42)

Zone: PD-R

Staff Comments: The purpose of this Final Plat Amendment is to extend the rear of Units 36, 38, 42, and 42 into the Limited Common area increasing the size of each unit. This is to accommodate the designed house plans to fit on the unit area.

All aspects of this Final Plat Amendment were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval with recommended conditions:

1. Provide a letter from the engineer / geotech that the rockwall(s) will not impact the homes in the Boulders and obtain consents of the property owners.
2. Subject to Legal Department review.

GENERAL NOTES AND RESTRICTIONS:

1. Unless stated to the contrary, all building subject requirements are non-negotiable and must be met in full. Failure to meet any one of the requirements may result in the building being removed from the program. The following are the requirements for each building type:

2. For all buildings, the following requirements must be met:

- a. The building must be located within the designated area.
- b. The building must be in good condition and meet all applicable building codes.
- c. The building must be owned by the City of Los Angeles.
- d. The building must be used for the purpose specified in the program.
- e. The building must be accessible to the public.
- f. The building must be available for use by the City of Los Angeles.
- g. The building must be available for use by the City of Los Angeles.
- h. The building must be available for use by the City of Los Angeles.
- i. The building must be available for use by the City of Los Angeles.
- j. The building must be available for use by the City of Los Angeles.
- k. The building must be available for use by the City of Los Angeles.
- l. The building must be available for use by the City of Los Angeles.
- m. The building must be available for use by the City of Los Angeles.
- n. The building must be available for use by the City of Los Angeles.
- o. The building must be available for use by the City of Los Angeles.
- p. The building must be available for use by the City of Los Angeles.
- q. The building must be available for use by the City of Los Angeles.
- r. The building must be available for use by the City of Los Angeles.
- s. The building must be available for use by the City of Los Angeles.
- t. The building must be available for use by the City of Los Angeles.
- u. The building must be available for use by the City of Los Angeles.
- v. The building must be available for use by the City of Los Angeles.
- w. The building must be available for use by the City of Los Angeles.
- x. The building must be available for use by the City of Los Angeles.
- y. The building must be available for use by the City of Los Angeles.
- z. The building must be available for use by the City of Los Angeles.

- [illegible]

GEOTECHNICAL INVESTIGATION: A geotechnical investigation was performed by Soarwater Associates, 202 East Riverside Drive, St. Louis, MO 63103, to determine the cause of the floor slab and subgrade failure. The investigation consisted of a visual inspection of the floor slab and subgrade, and a series of tests. The tests included a plate load test, a cone penetration test, and a soil sample analysis. The results of the investigation indicated that the floor slab failure was caused by a combination of factors, including poor construction practices, inadequate subgrade preparation, and excessive loading. The investigation also identified several areas where the floor slab and subgrade were damaged, and recommended repairs to be made to prevent future failures.

GEOTECHNICAL INVESTIGATION: A geotechnical investigation was performed by Soarwater Associates, 202 East Riverside Drive, St. Louis, MO 63103, to determine the cause of the floor slab and subgrade failure. The investigation consisted of a visual inspection of the floor slab and subgrade, and a series of tests. The tests included a plate load test, a cone penetration test, and a shear vane test. The results of the tests indicated that the floor slab and subgrade were both weak and unstable. The cause of the failure was determined to be a combination of factors, including poor construction, inadequate design, and poor maintenance.

[illegible]

- ¹ A. L. Housner, "Seismic Isolation of Structures," *Journal of the American Institute of Steel Construction*, Vol. 10, No. 1, 1965, pp. 46-61.

BOULDER SPRINGB VILLAS PHASE 3 • AMENDED

[illegible]

State of Utah	Year
1900	1900
1910	1910
1920	1920
1930	1930
1940	1940
1950	1950
1960	1960
1970	1970
1980	1980
1990	1990
2000	2000
2010	2010
2020	2020
2030	2030
2040	2040
2050	2050
2060	2060
2070	2070
2080	2080
2090	2090
2100	2100

At the _____ day of _____, 20____ personally appeared before me Stephen Sheffeld, County Clerk of said County, and being duly sworn did say that he is the general partner of ShefCo, LTD., a Utah corporation, and that he executed the foregoing Owner's Declaration in order to be eligible for the partnership agreement of said corporation, and that he duly acknowledged the foregoing to me this said partnership agreement the same day as he signed the foregoing and the same day as he signed the foregoing and the same day as he signed the foregoing.

ALL HAVE SIGNATURE _____
 ALL HAVE PRINTS _____
 COMMISSION NO. _____
 EXPIRATION DATE _____
 NOTARY COMMISSIONED IN THE STATE OF _____
 STAMP NOT REQUIRED PER UTAH CODE 46-1-1000

332 East Riverside Drive, Suite A-2, St. George, Utah 84790
 (435) 673-8386 Ex (435) 673-5397, www.mountainstates.net

2025 TIME MAGAZINE EDITOR, JAMES H. HARRIS, JR., 100 N. GARDEN, SUITE 100, LOS ANGELES, CA 90015
(310) 773-5556 Ex (310) 773-5557. WWW.TIMEMAGAZINE.COM

5/12/2012	BEA
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19 = 100%	DRIVER
	DRIVER

100	SCALE	BEA CHARTER

BOULDER SPRINGS
VILLAS PHASE 3
- AMENDED -

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32 TOWNSHIP
42 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN

PCR ITEM 6A

Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 10/13/2015
CITY COUNCIL MEETING: 10/15/2015

PRELIMINARY PLAT

Tonaquint Terrace Phase 4

Case No. 2015-PP-027

Request: To approve a preliminary plat for a ten (10) lot residential subdivision

Location: The site is located at 1330 West 2440 South

Property: 4.84 acres

Number of Lots: 10

Density: 2.07 du/ac

Zoning: R-1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size)

Adjacent zones: This plat is surrounded by the following zones:
North – R-1-10
South – R-1-40
East – R-1-10
West – M&G

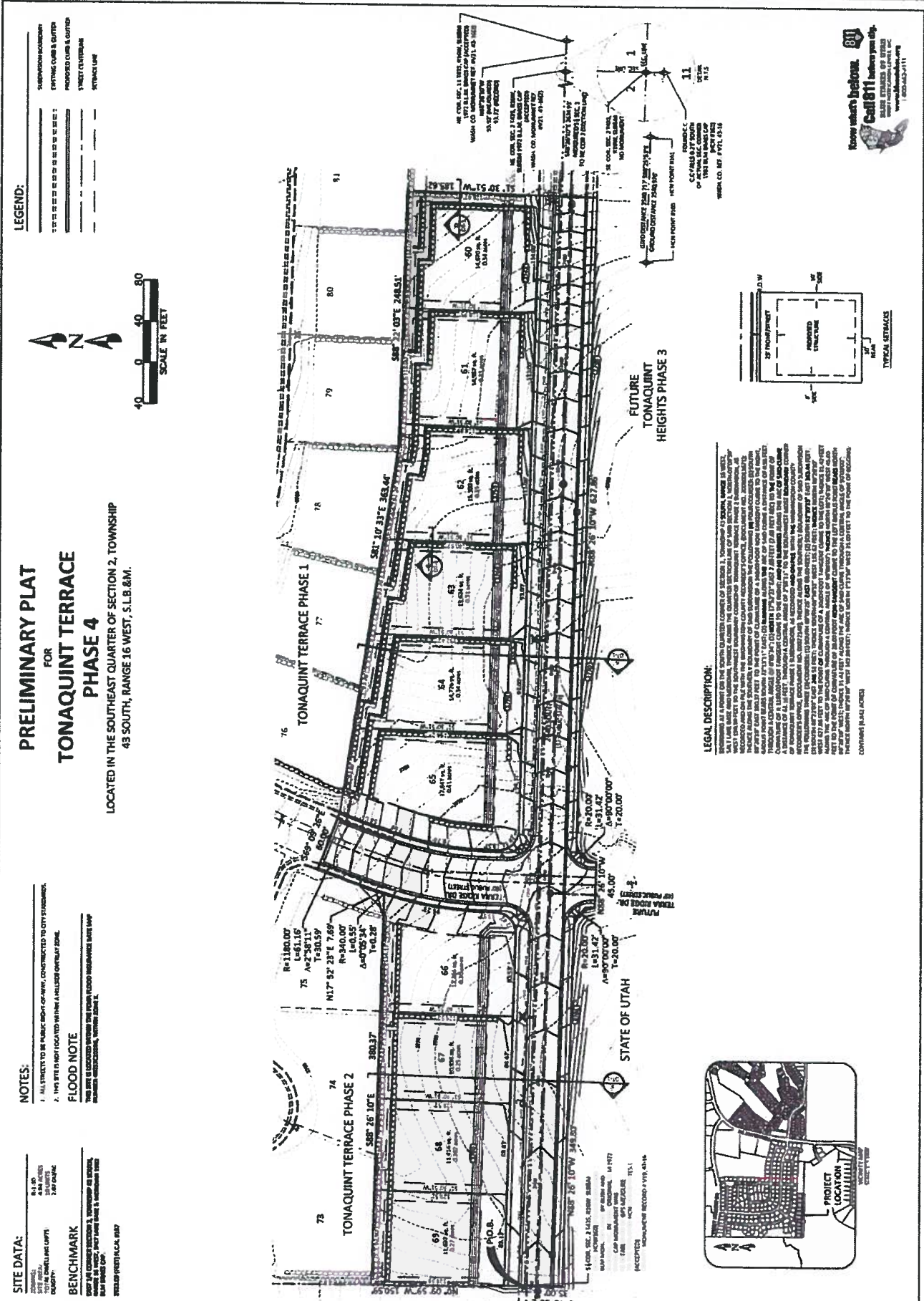
General Plan: LDR

Applicant: Development Solutions Group, Inc

Representative: Logan Blake

Comments:

P.C.: The Planning Commission recommends approval.





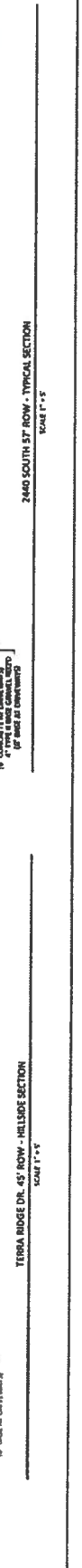
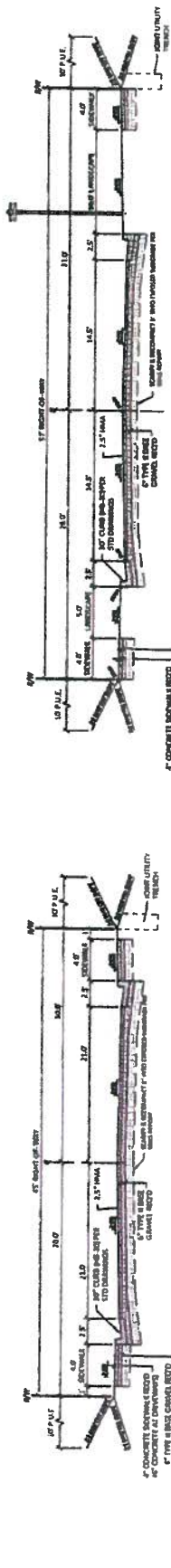
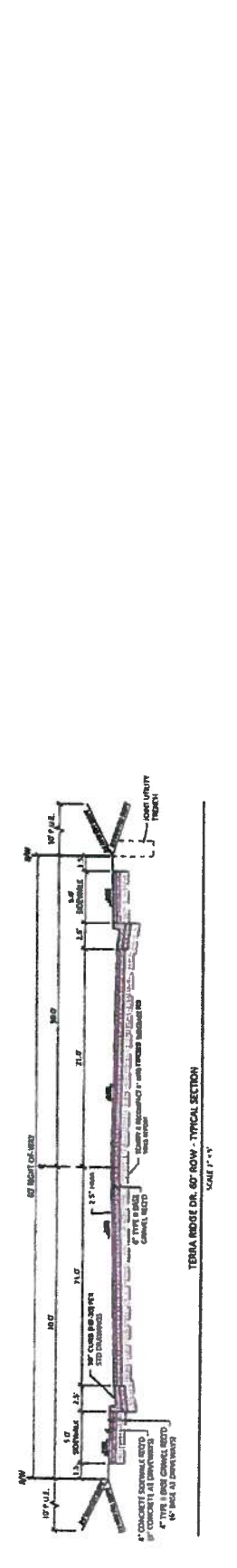
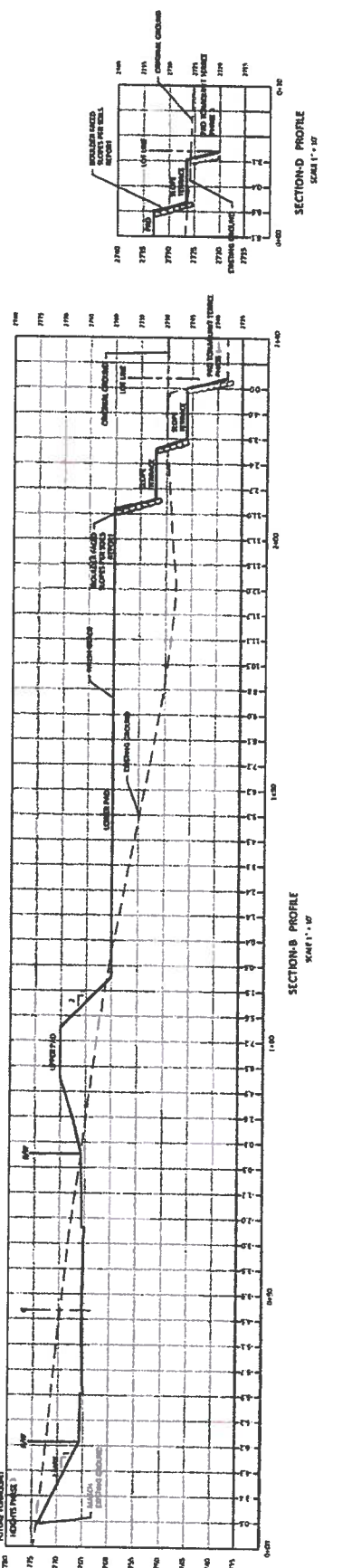
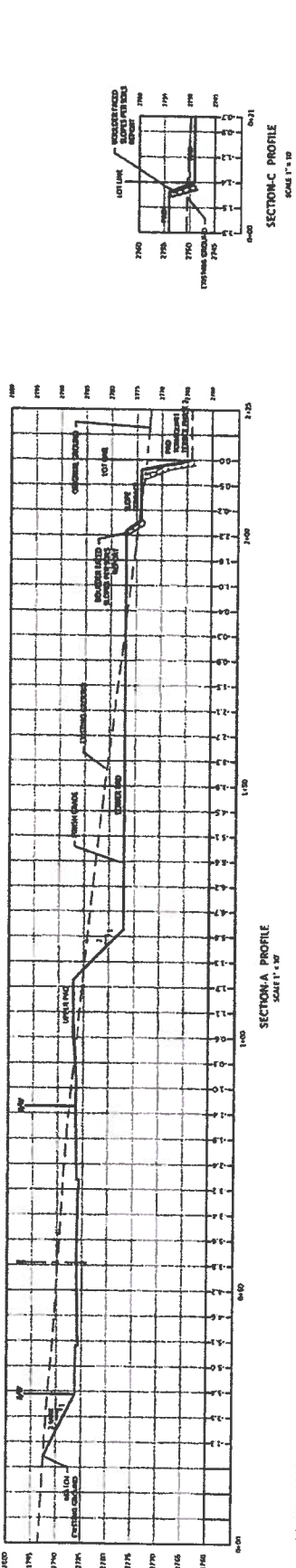
DATE	07/15/2023
BY	DAVID L. SMITH
CHECKED BY	DAVID L. SMITH
SCALE	1" = 10'

TONAQUINT TERRACE
RESIDENTIAL SUBDIVISION - PHASE 4
LOCATED IN ST. GEORGE, UTAH
PROJECT NO. 23-001
DATE: 07/15/2023
BY: DAVID L. SMITH
CHECKED BY: DAVID L. SMITH

DEVELOPMENT SOLUTIONS, INC.
LAND PLANNERS, CIVIL ENGINEERS
1133 CANYON DRIVE, SUITE 100
ST. GEORGE, UT 84790
PHONE: (435) 638-1133
FAX: (435) 638-1134
WWW.DEVELOPTIONSOLUTIONS.COM

NO.	1
DATE	07/15/2023
BY	DAVID L. SMITH
CHECKED BY	DAVID L. SMITH
SCALE	1" = 10'

DT-1
2 OF 2 TOTAL



PCR ITEM 6B

Preliminary Plat

PLANNING COMMISSION AGENDA REPORT: 10/13/2015
CITY COUNCIL MEETING: 10/15/2015

PRELIMINARY PLAT

Tonaquint Heights Phase 3

Case No. 2015-PP-028

Request: To approve a preliminary plat for a three (3) lot residential subdivision

Location: The site is located at 1330 West 2440 South

Property: 2.775 acres

Number of Lots: 3

Density: 1.089 du/ac

Zoning: R-1-40 (Single Family Residential, 40,000 sq. ft. minimum lot size)

Adjacent zones: This plat is surrounded by the following zones:
North – R-1-10
South – OS
East – R-1-40
West – R-1-40

General Plan: OS (Open Space)

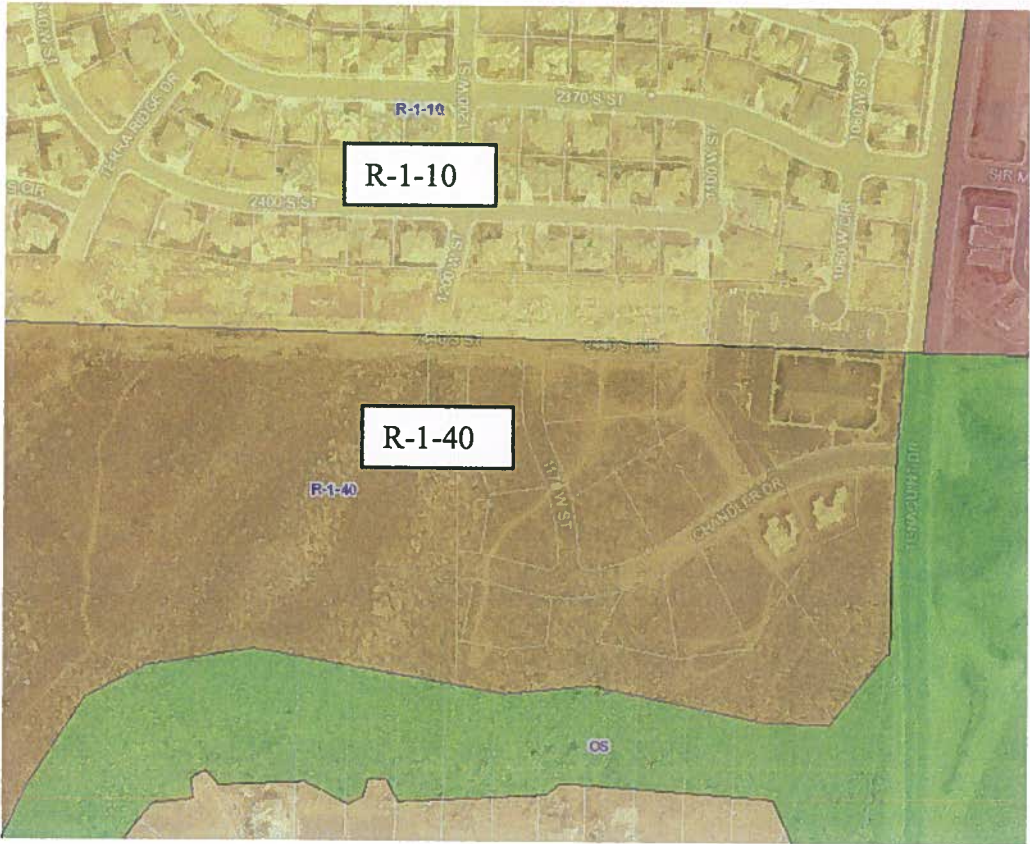
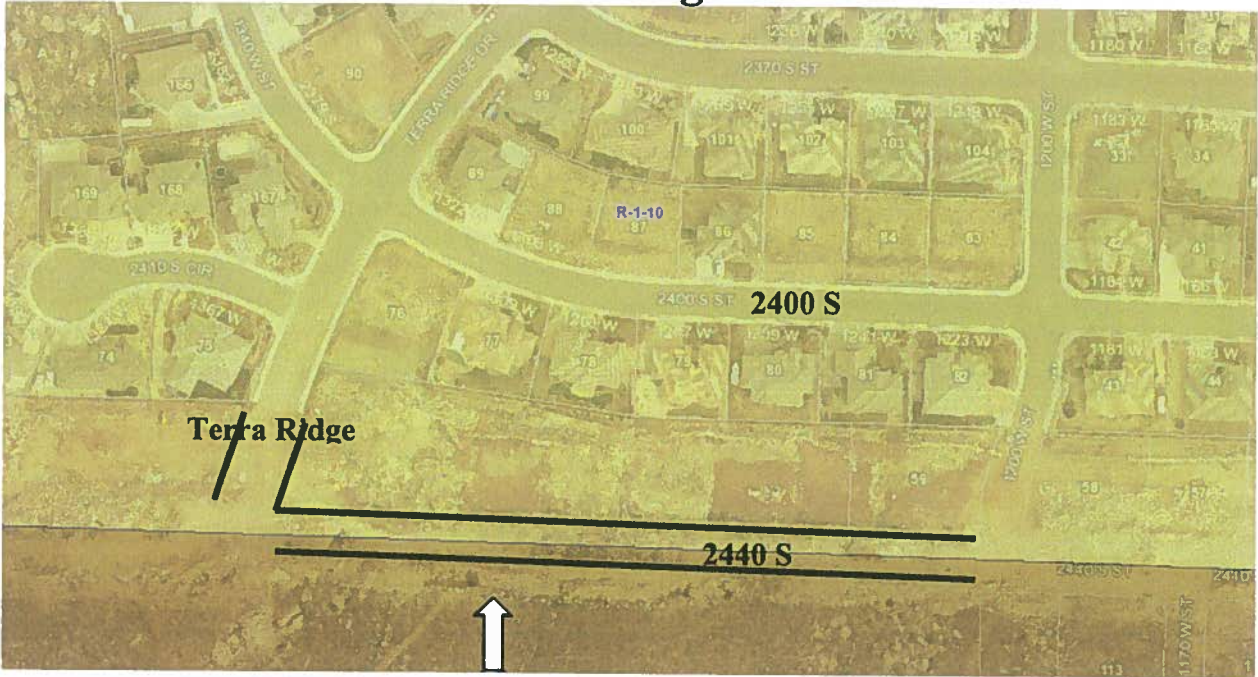
Applicant: Development Solutions Group, Inc

Representative: Logan Blake

Comments: A conditional use permit (CUP) was approved for a ‘cluster development.’



Zoning



LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP
43 SOUTH, RANGE 16 WEST, S.L.B.&M.

DATE	DESCRIPTION	AMOUNT	BALANCE
10/1	OPENING BALANCE		100.00
10/2	PAYROLL	50.00	50.00
10/3	RENT	25.00	25.00
10/4	SALES	75.00	100.00
10/5	PAYROLL	50.00	50.00
10/6	RENT	25.00	25.00
10/7	SALES	75.00	100.00
10/8	PAYROLL	50.00	50.00
10/9	RENT	25.00	25.00
10/10	SALES	75.00	100.00
10/11	PAYROLL	50.00	50.00
10/12	RENT	25.00	25.00
10/13	SALES	75.00	100.00
10/14	PAYROLL	50.00	50.00
10/15	RENT	25.00	25.00
10/16	SALES	75.00	100.00
10/17	PAYROLL	50.00	50.00
10/18	RENT	25.00	25.00
10/19	SALES	75.00	100.00
10/20	PAYROLL	50.00	50.00
10/21	RENT	25.00	25.00
10/22	SALES	75.00	100.00
10/23	PAYROLL	50.00	50.00
10/24	RENT	25.00	25.00
10/25	SALES	75.00	100.00
10/26	PAYROLL	50.00	50.00
10/27	RENT	25.00	25.00
10/28	SALES	75.00	100.00
10/29	PAYROLL	50.00	50.00
10/30	RENT	25.00	25.00
10/31	SALES	75.00	100.00
11/1	PAYROLL	50.00	50.00
11/2	RENT	25.00	25.00
11/3	SALES	75.00	100.00
11/4	PAYROLL	50.00	50.00
11/5	RENT	25.00	25.00
11/6	SALES	75.00	100.00
11/7	PAYROLL	50.00	50.00
11/8	RENT	25.00	25.00
11/9	SALES	75.00	100.00
11/10	PAYROLL	50.00	50.00
11/11	RENT	25.00	25.00
11/12	SALES	75.00	100.00
11/13	PAYROLL	50.00	50.00
11/14	RENT	25.00	25.00
11/15	SALES	75.00	100.00
11/16	PAYROLL	50.00	50.00
11/17	RENT	25.00	25.00
11/18	SALES	75.00	100.00
11/19	PAYROLL	50.00	50.00
11/20	RENT	25.00	25.00
11/21	SALES	75.00	100.00
11/22	PAYROLL	50.00	50.00
11/23	RENT	25.00	25.00
11/24	SALES	75.00	100.00
11/25	PAYROLL	50.00	50.00
11/26	RENT	25.00	25.00
11/27	SALES	75.00	100.00
11/28	PAYROLL	50.00	50.00
11/29	RENT	25.00	25.00
11/30	SALES	75.00	100.00
12/1	PAYROLL	50.00	50.00
12/2	RENT	25.00	25.00
12/3	SALES	75.00	100.00
12/4	PAYROLL	50.00	50.00
12/5	RENT	25.00	25.00
12/6	SALES	75.00	100.00
12/7	PAYROLL	50.00	50.00
12/8	RENT	25.00	25.00
12/9	SALES	75.00	100.00
12/10	PAYROLL	50.00	50.00
12/11	RENT	25.00	25.00
12/12	SALES	75.00	100.00
12/13	PAYROLL	50.00	50.00
12/14	RENT	25.00	25.00
12/15	SALES	75.00	100.00
12/16	PAYROLL	50.00	50.00
12/17	RENT	25.00	25.00
12/18	SALES	75.00	100.00
12/19	PAYROLL	50.00	50.00
12/20	RENT	25.00	25.00
12/21	SALES	75.00	100.00
12/22	PAYROLL	50.00	50.00
12/23	RENT	25.00	25.00
12/24			

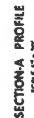


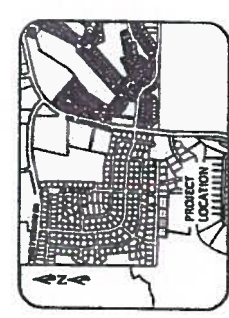
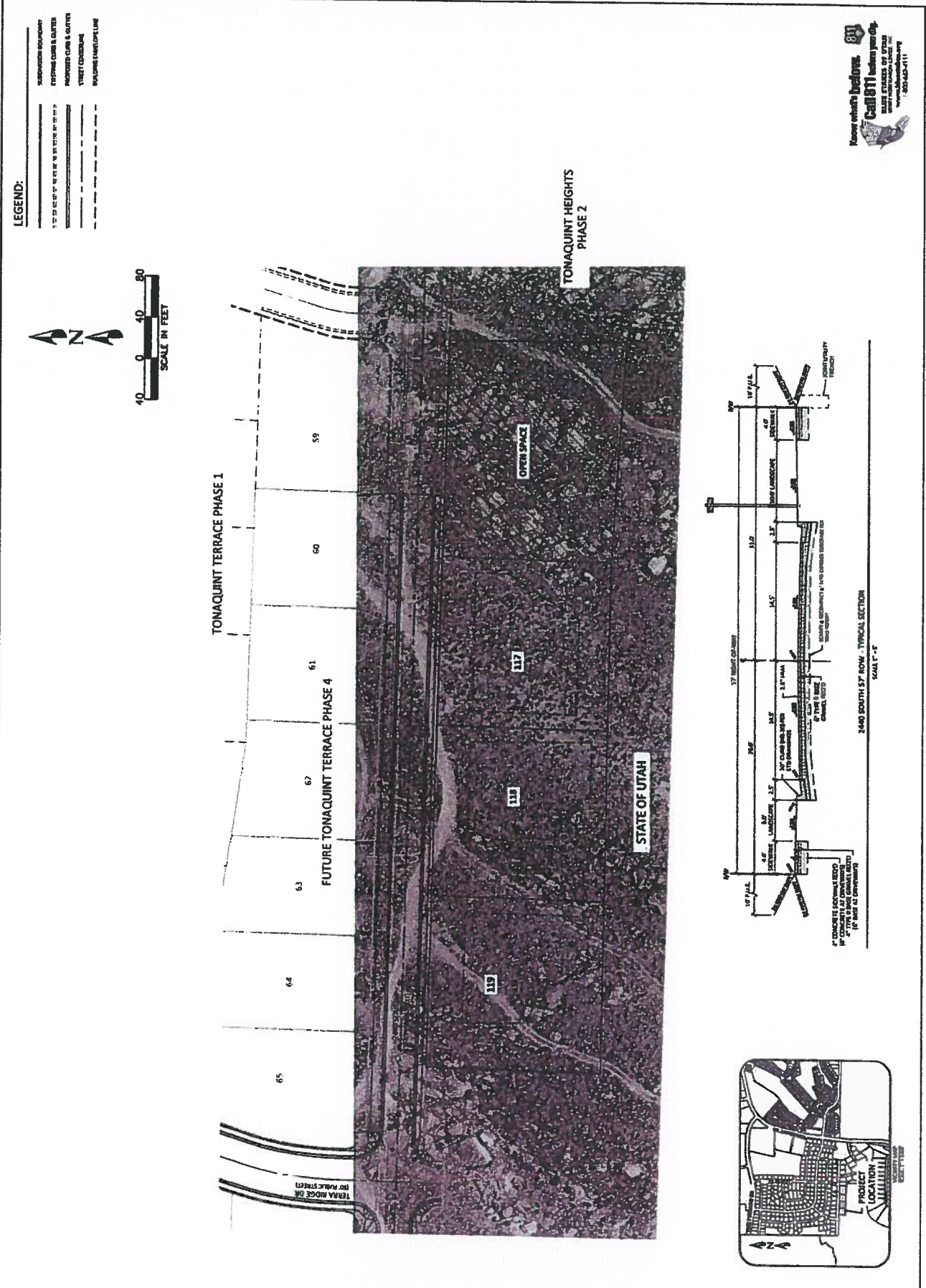
1. ALL STREETS TO BE PAVED RIGHT-OF-WAY. CONTRACTED TO CITY ENGINEERS.
2. THIS SITE IS NOT LOCATED WITHIN A VULNERABLE OVERLAY ZONE.

THIS SITE IS LOCATED WITHIN THE FLOOD PROOF ORIGINALLY BATH MAP
NATURAL OPERATIONS, WITHIN ZONE II.

FORMING: R 1-40 EXHIBITION DEVELOPMENT
SITE AREA: 2.349 ACRES
TOTAL DEVELOPABLE ACRES: 1.075 DUL/AC
DENSITY:

OUT LA CHAIRS SECTION 2, TOWNSHIP 43 NORTH,
RANGE 18 WEST, SALT LAKE BASIN & MOUNTAIN TRAIL
TRAIL, SALT LAKE COUNTY, UTAH.

[illegible][illegible]



DRAFT

Agenda Item Number :

6C

Request For Council Action

Date Submitted 2015-10-05 13:06:27**Applicant** Jared Nielson, MVA Properties**Quick Title** CUP to construct a 4-story 58 feet apartment complex

Subject Consider a height request to construct a multi-family four (4) story above ground apartment complex with associated two (2) levels of underground parking that would be approximately fifty-eight feet (58'±) above ground and the courtyard in the rear would be approximately forty-seven feet (47'±) high above ground which would exceed the allowable maximum building height of thirty-five feet (35'±) without a CUP. The property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments.

Discussion The applicant is requesting a height greater than 35', which requires a CUP (conditional use permit) for a greater height as per City Code 10-10-4. The property is currently vacant and the developer is seeking permission to develop a multi-family residential "apartment" project. The Hillside Permit was approved and the applicant intends to transfer density from the hillside to the project. The associated BDCSP (Building Design Conceptual Site Plan) is also on the PC report for consideration. Planning Commission recommends approval.

Cost \$0.00

City Manager Recommendation This property is east of the east black ridge just north of the UAMPS power substation. The project is utilizing the density transfer portion of our ordinance and will allow the surrounding hillside to be preserved. PC recommends approval.

Action Taken**Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

PCR ITEM 3

PLANNING COMMISSION REPORT OF: **05/26/2015**

CITY COUNCIL MEETING:

10/15/2015 (*Delayed by applicant*)

CONDITIONAL USE PERMIT

Case # 2015-CUP-008

- Request:** To construct a multi-family four (4) story above ground apartment complex called “Catamaran Plaza” which would exceed the allowable maximum building height of thirty-five feet (35’) unless a conditional use permit is permitted by City Council.
- Project Overview:** The property is currently vacant and the developer is seeking permission to develop a multi-family residential ‘apartment’ project.
- Ordinance:** Title 10, Chapter 7 Residential Zones Article C “Multiple-Family Residential” Section 10-7C-4 allows a maximum building height of 35 ft....”*unless recommended by the Planning Commission and approved by the City Council as a conditional use permit.*”
- Units (Apartment):** The applicant proposes 160 units.
- Bldg. Height(s):** The proposed building height for the multi-family apartments consists of four (4) stories above ground with two (2) levels of underground parking.
- The height of the majority of the building will be fifty-eight feet (58’) and the courtyard in the rear of the building will be forty-seven feet (47’ - see exhibits).
- Note that there will be a height of sixty-seven feet (67’) to the tallest part of the building at the southeast side directly above the lower parking lot entrance.
- The total height of the proposed building would be approximately five feet (5’) to six feet (6’) taller than the adjacent existing apartments to the north.
- The “H” shaped apartment building will be tucked in at the base of the bluff where it will not restrict any views from the homes on the bluff.
- In addition to the apartment building, there are two smaller buildings; one is the leasing office and the other is the clubhouse. Both will be single story and will be below 35 feet.

Reference HS: Hillside Permit; Case No. 2015-HS-002
The HSRB (Hillside Review Board) met on 5/6/2015, the PC (Planning Commission) met on 5/12/2015, and CC (City Council) met and approved the hillside permit on 5/21/2015.

Reference BDCSP: BDCSP (Building Design Conceptual Site Plan); Case No. 2015-BDCSP-001 (also on this 10/15/2015 CC agenda)

Location: This property is located directly north of the electrical substation at the intersection of Riverside Drive and 1990 East Street and is south of the existing Rebel Creek Ridge apartments.

APN:

APN	Acres	Comments
SG-5-2-28-3102	6.84	Applicant land – zoned R3
SG-5-2-28-310	32.02	Applicant land – zoned R-1-10
SG-5-2-28-3105	0.50	City Property – zoned R3 – subject to land sale
SG-5-2-28-321	0.70	UAMPS property – portion of - zoned R-1-10 - subject to land sale

Property Owner: Mr. Randy Simonsen
3535 Sugar Leo Road
St George, Utah 84790

Applicant: MVA Properties
Mr. Jared Nielson
399 N Main St, Suite 270
Logan, Utah 84321

Representative: Mr. Rob Reid
Rosenberg Associates
352 East Riverside Drive
St George, Utah 84790

Zoning: R-3 (6.84 ac.) (SG-5-2-28-3102) (HDR / LDR / OS) (Site)
R-1-10 (32.02 ac.) (SG-5-2-28-310) (LDR & OS) (Hillside)
R3 (0.50 ac.) (SG-5-2-28-3105) (LDR & COM)(City land)
R-1-10 (0.70 ac.) (SG-5-2-28-321) (COM)(UAMPS)(portion)

General Plan: LDR / HDR / COM / OS (*see General Plan Graphic below*)
(*Note: HDR = 10 or more DU/AC*)

Area(s): There are four (4) parcels which total approximately 40 acres at the base of the East Bluff at 1990 East Street.

1. Approx. 6.84 acres (SG-5-2-28-3102)
2. Approx. 32.02 acres (SG-5-2-28-310)
3. Approx. 0.50 acres (SG-5-2-28-3105)
4. Approx. 0.70 acres (SG-5-2-28-321)

Noticing: Notice letters were sent to property owners within a 300 ft. radius and notice was posted in four (4) public places [on the City website, State website, and on two (2) bulletin boards in the City].

Adj. Land Uses: To the north is the existing 'Rebel Ridge' apartment complex. To the west will be vacant hillside and then single family residences on top of the ridge. To the south are vacant land and then the electrical substation.

P.C.: On May 26, 2015, the Planning Commission recommended approval with findings of the requested height for the proposed multi-family apartments to be four (4) stories above ground with two (2) levels of underground parking and the height of the majority of the building will be fifty-eight feet (58') and the courtyard in the rear of the building is forty-seven feet (47'), with the exception that the southeast side will be sixty-seven feet (67') high above the entrance of the lower parking garage.

Findings: The following standards must be met to mitigate the reasonably anticipated detrimental effects **if imposed** as a condition of approval:

Yes	N/A	Category	Description
Mitigate during construction by regulating the hours of operation. After the apartments are constructed, no excessive noise levels are anticipated with normal operation.		A. Noise	1. Excessive noise (unwanted or undesired sound) can cause serious impacts to health, property values, and economic productivity. Conditional uses shall not impose excessive noise on surrounding uses. "Excessive noise" generally means noise that is prolonged, unusual, or a level of noise that in its time, place and use annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others.
Mitigate during construction by methods of watering and other requirements of air quality permit control.		B. Dust	1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious dust beyond the property line.

Contain all odors during construction. After constructed, no excessive odors are anticipated with the normal operation of an apartment.		C. Odors	<ol style="list-style-type: none"> 1. Comply with all air quality standards, state, federal and local. 2. Use shall not create unusual or obnoxious odors beyond the property line.
The apartments will complement the existing Rebel Ridge apartments to the north.		D. Aesthetics	<ol style="list-style-type: none"> 1. Blend harmoniously with the neighborhood so the use does not change the characteristics of the zone and the impact of the use on surrounding properties is reduced.
Meet all required City, State, and Federal applicable safety standards for construction (e.g. OSHA, etc.)		E. Safety	<ol style="list-style-type: none"> 1. Take the necessary measures to avoid or mitigate any safety problems created by the use, including problems due to traffic, rock fall, erosion, flooding, fire, hazardous materials, or related problems. 2. Uses shall not locate within the 100-year floodplain as identified by FEMA unless expressly recommended by the city engineer in conformance with city engineering standards and all state, local and federal laws.
The City Traffic Engineering Department will plan check the layout, design, projected traffic volumes, sight distances, signage, and striping to meet all applicable codes and standards.		F. Traffic	<ol style="list-style-type: none"> 1. Traffic increases due to the conditional use shall not cause streets or nearby intersections to fall more than one grade from the existing level of service grade or fall below a level of service "D". 2. Uses shall follow city access management standards and not create hazards to other drivers or pedestrians.
The maximum apartment height will be approx. 58 ft. as presented.		G. Height	<ol style="list-style-type: none"> 1. Buildings shall fit into the overall context of the surrounding area. 2. Photo simulations are required showing all sides of the building(s) and showing how the building fits into the surrounding area to include not less than five hundred feet (500') in all directions from the building and including its relationship to nearby ridges, hills, and buildings.

Residential use 24/7	N/A	H. Hours of Operation	1. Nonresidential uses operating in proximity to or within a residential zone shall limit hours of operation so as not to disturb the peace and quiet of the adjacent residential area.
	N/A	I. Saturation / Spacing	1. To the extent feasible, nonresidential uses allowed in residential zones as conditional uses shall be dispersed throughout the community rather than concentrated in certain residential areas.
The proposed apartment complex will be within the existing character of the R3 zone for the immediate area.		J. Maintain Character and purpose of zone	1. Uses shall be consistent with the character and purpose of the zone within which they are located.
Shall comply with all applicable City, State, and federal standards for public health.		K. Public Health	1. Use shall comply with all sanitation and solid waste disposal codes. 2. Use shall not create public health concerns. (Ord. 2007-01-001, 1-4-2007)

Rendering



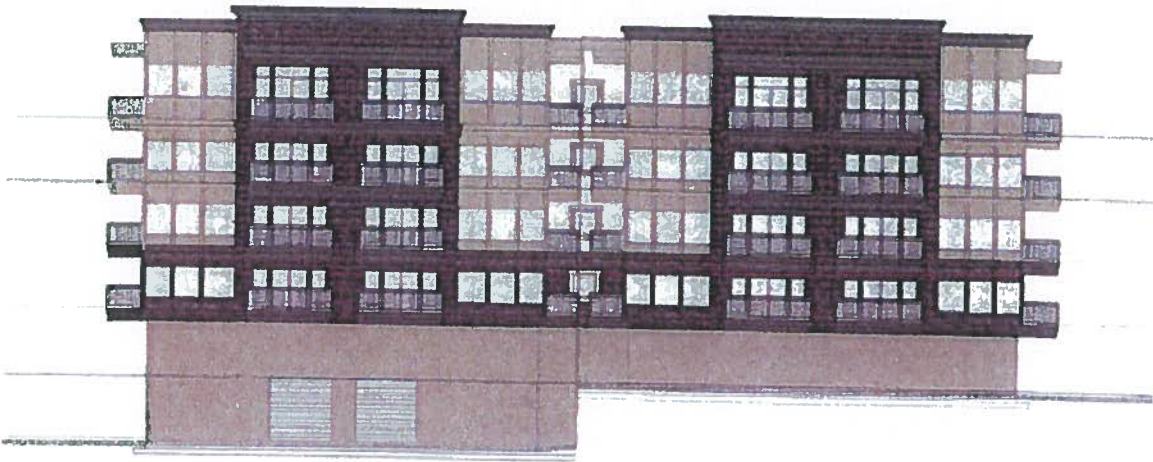
Elevations



WEST EXTERIOR ELEVATION



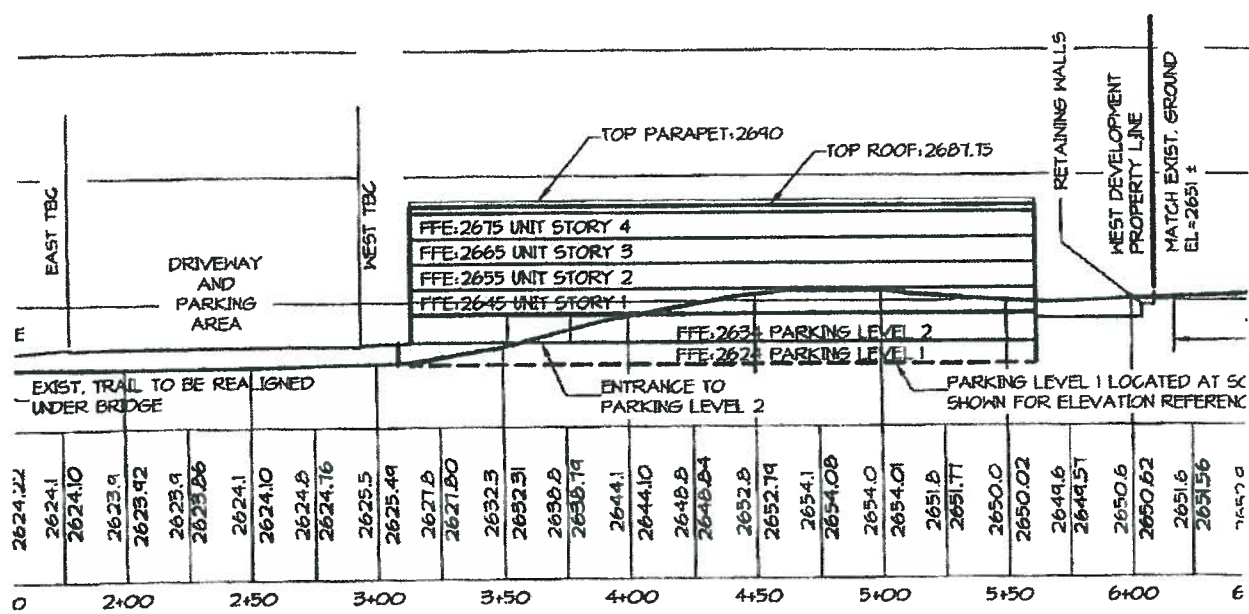
SOUTH EXTERIOR ELEVATION





Height

(Levels of residency & parking shown)



D

Catamaran Plaza

Apartment Community

Conditional Use Permit



1034 West RSI Dr. Suite 130
Logan UT

May 4, 2015

Introduction

A conditional use permit for 2 parcels of land is proposed for the purpose of building multifamily housing. The parcels (SG-5-2-28-3102 and SG-5-2-28-310) are a total of 39 acres at the base of the East Bluff at 1990 East Street. The site is currently zoned R-3 which allows for multifamily housing.

We are planning on using the Hillside Transfer Bonus to move all units onto the 6.82 acre parcel and leave the remaining acreage as untouched bluff. We are seeking a conditional use permit to extend the height restrictions to allow for the current design of the building. The building height is discussed below in Building, Elevation & Floor Plans.

Project Land use

The proposed project is a single building with 2 levels of underground parking consisting of 212 stalls and 4 levels of housing consisting of 164 units built on top of the parking. There will be a bridge to cross the wash, and surface parking consisting of 132 stalls.

Building, Elevations & Floor Plans

There will be one, two, and three bedroom units, ranging from 499 to 1300 square feet, all within the one building. The unit mix will be 22% one bedroom units, 68% two bedroom units, and 10% three bedroom units, for a total of 164 units.

Units	SQ FT	Units	Unit Mix %
1 Bed 1 Bath Micro	499	2	
1 Bed 1 Bath	712	16	
1 Bed 1 Bath	741	8	
1 Bed 1 Bath Large	775	10	22.0%
2 Bed 2 Bath Small	964	16	
2 Bed 2 Bath	998	31	
2 Bed 2 Bath inside corner	1022	16	
2 Bed 2 Bath	1022	16	
2 Bed 2 Bath large	1076	17	
2 Bed 2 Bath Corner units	1162	16	68.2%
3 Bed 2 Bath	1300	16	9.8%
		164	100.0%

Revised to 160 units

The building has interior corridors with climate conditioning and 3 elevators, two levels of underground parking (73,000 square feet) with four levels of housing units (194,000 square feet), totaling 6 levels with 267,000 square feet. The tallest part of the building is at the entrance of the lower parking garage, on the southeast side, with a finished height of 67 feet. The majority of the front of the building is 58 feet finished height and the court yard in the rear of the building has a finished height of 47 feet. There are two smaller buildings proposed for the property development: one for the leasing offices and clubhouse, with the other being in the courtyard for the fitness center and flex space. Both of these other proposed building are single level and fit within the current height restrictions.

Amenities

This project is planned with numerous amenities on the property including the underground parking garage, climate conditioned interior corridors, a clubhouse, fitness center, resort-style pool and spa, covered flex space, a sports court that will include facilities for both pickle ball and basketball, a fire pit, gas grills, a dog park, storage units on all levels of building, and all units will have private balconies.

Parking

Parking for the project is provided in both the parking garages below the units and in the exterior areas around the building. With the Conditional Use Permit it is requested to reduce the parking to 1.76 spaces per unit as provided in Zoning Regulation 10-19-4. There are 212 parking stalls in the covered underground parking garage and 132 parking stalls outside with 43 of them covered. This provides 1.76 parking ratio, not including guest parking.

Required Parking

Total Units	164	Percentage
Uncovered Parking	164	43%
Covered Parking	164	43%
Guest Parking	54	14%
Total	382	100%

Revised to 160 units.

See BDCSP staff
report for parking

Provided Parking

Total Units	164	Percentage
Parking Garage	212	62%
Covered Parking	43	13%
Surface Parking	35	10%
Guest Parking (surface)	54	15%
Total	344	100%

A similar apartment complex owned and operated by MV Properties in Layton, Utah has 156 units with 272 parking stalls (including guest parking). This is a 1.74 parking ratio. It has been found that on a typical weekday night 12 spaces were not occupied. On a typical weekend night it was found 48 spaces were not occupied.

Topography, Soils & Existing Utilities

Site topography is shown at 2' intervals (see attached Topographic Site Plan). The property slopes up to the top of the bluff. A Geotechnical Report has been completed for the site. All public utilities are available to the site.

Landscaping

Landscaped common areas are indicated on the site plan. Open space areas have been located within the project convenient to the units. Landscaping shall consist of lawn, trees, decorative stone, boulders and bedding plants that are consistent with those found in the general area.

Lighting

Street lights will be installed at the entrance of project adjacent to the public street. The exterior of the building will have decorative exterior lights and can lights attached to the building. Additional parking lights will be installed for parking levels both interior stalls and exterior stalls. All of the exterior, parking garage, and common lighting will be LED. Entrance signage will be installed at entrance of project. Entrance signs will conform to city standard specifications.

Access

Access to the project is proposed from 1990 East Street as shown on the attached site plan. The public street is 66 feet wide. The entrance location is based on St. George city planning staff recommendations. A Traffic Impact Study has been completed for this site.

Summary

This project is located in a perfect location for the use of a Conditional Use Permit for additional height. It is tucked in to the base of the bluff where it won't restrict any views from the homes on the bluff. Using the Hillside Transfer Bonus is a great way for the community to be able to keep over 32 acres left at its natural state. There is a current need for additional Multi-family housing in the St George area. This site located near the hospital, area schools, and a large retail commercial district.

DRAFTAgenda Item Number : **6D**

Request For Council Action

Date Submitted 2015-10-09 09:03:47

Applicant Paula Houston

Quick Title McKinstry Energy Performance Contract

Subject Making improvements to city facilities by installing energy efficient equipment to reduce the use of energy.

Discussion The city hired McKinstry to perform an energy audit. The audit identified a number of areas that could be changed and would save the city money. The staff believe that implementing those changes will be cost effective and should be made.

Cost \$0.00

City Manager Recommendation Recommend approval. This item has been in the works for a year and several improvements have been identified.

Action Taken

Requested by Paula Houston

File Attachments

**Approved by Legal
Department?**

Approved in Budget? Amount:

Additional Comments

DRAFTAgenda Item Number : **6E**

Request For Council Action

Date Submitted 2015-10-06 11:45:27**Applicant** Drug Enforcement Administration**Quick Title** DEA Memorandum of Understanding**Subject** This is the final Memorandum of Understanding between the City and the DEA, allowing the DEA to collocate with the Task Force within the space that currently houses the Task Force. This MOU allows the DEA to release the lease payment to city for use of the building.**Discussion****Cost** \$0.00**City Manager Recommendation** Necessary to facilitate the location of the DEA in the Commons building and allow DEA to release their lease payment to the City.**Action Taken****Requested by** Kyle Whitehead**File Attachments** [2016 Memorandum of Understanding - City of St. George-DEA.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** [2016 Memorandum of Understanding - City of St. George-DEA.pdf](#)

MEMORANDUM OF UNDERSTANDING

Between

City of St. George, Utah

And

**Drug Enforcement Administration
Denver Field Division**

This Memorandum of Understanding acknowledges the judiciousness of conducting joint law enforcement operations when such activities are mutually beneficial to the agencies concerned and contribute to the achievement of agency goals and objectives. The provisions of this agreement are in harmony with the federal law and governmental policy.

This agreement is entered into pursuant to the authority of Section 873 of Title 21 of the United States Code (21 U.S.C. § 873). This statutory provision authorizes the Attorney General of the United States to enter into agreements with state, tribal, and local law enforcement agencies to provide for cooperative enforcement and regulatory activities. The Attorney General has redelegated this authority to the DEA Administrator and his/her subordinate management officials. (Subpart "R" of Title 28 of the Code of Federal Regulations, 28 C.F.R. § 0.100 *et seq.*).

The specific provisions of this agreement are as follows:

1. The City of St. George will provide materials and resources as may be required by the operations of the DEA St. George Post of Duty in St. George, Utah, including for example office space, electricity, and other utilities.
2. The DEA will be permitted to use a share of these resources, to include office space and utilities as well as other administrative and supporting services that may be available.
3. Beginning October 15, 2015, and continuing to September 30, 2016, the DEA will provide the amount of \$1,644 per quarter to the City of St. George for the use of assigned spaces, services, and materials associated with the presence of DEA personnel assigned to the St. George Post of Duty. The total estimated cost for a 12-month period is \$6,576.

4. The City of St. George will send an invoice to:

DEA
Attn: Fiscal Department
12154 East Easter Avenue
Centennial, CO 80112

or send an electronic invoice to invoice.denver@usdoj.gov, on an annual basis in order to receive reimbursement.

5. Either party may terminate this agreement with 30 days written notice to the other party. Notice may be delivered by electronic transmission, hand delivery, or mail.
6. Should operations extend beyond September 30, 2016, a new agreement will be made pending the availability of funds.

DEA shall indemnify, defend, and hold harmless the City of St. George, its elected officials, officers, employees, agents, and representatives against any and all claims, suits, causes of action, judgments, demands, losses, costs, expenses, and damages (including but not limited to all fees and charges of attorneys and other professionals and all court or arbitration or other dispute resolution costs) arising out of the negligent acts, wrongful acts, or errors or omissions of its officers, employees, agents, or representatives arising out of the housing of DEA personnel on City of St. George property under provisions of this MOU to the extent not inconsistent with Federal law.

For the Drug Enforcement Administration:

Barbra M. Roach
Special Agent in Charge

Date:

For the City of St. George:

Jonathan T. Pike
Mayor
City of St. George

Date

DRAFTAgenda Item Number : **6F**

Request For Council Action

Date Submitted 2015-10-14 16:43:58**Applicant** Steven Lane Down**Quick Title** Class B Beer License, Local Consent and Variance**Subject** Consider approval of a request for a Class B Beer License, Local Consent and Variance for Even Stevens St. George, LLC, applicant Steven Lane Down, for the location of 471 East St. George Blvd., St. George. Utah.**Discussion** Consider approval of the request for Class B Beer License, Local Consent and Variance the restaurant Even Stevens St. George, LLC, applicant Steven Lane Down, for the location of 471 East St. George Blvd., St. George. Utah.**Cost** \$0.00**City Manager
Recommendation****Action Taken****Requested by** Laura Woolsey**File Attachments****Approved by Legal
Department?****Approved in Budget?** **Amount:****Additional Comments** Mr. Steven Lane Down, the owner of Even Stevens St. George, LLC restaurant is requesting approval for a Class B Beer License and Local Consent to apply for an Alcohol License to serve Beer and Wine from the State of Utah Division of Alcohol, for the location of 471 East St. George Blvd, St. George. Mr. Steven is also requesting a variance to the proximity of the church, located at 420 East St. George Blvd. The church is located 495 feet to his business establishment

First	Middle	Last	
471 E. St. George Blvd.	St. George	VT	84770
Address	City	State	Zip

- 12
6. If a corporation, list below or attach on a separate sheet, the names and addresses of the corporation's principal officers and any stockholders who own 10 % or more of the corporation. If a partnership, list the names and addresses of the other general

Applicant Signature Steven Dawn Date 09/22/15

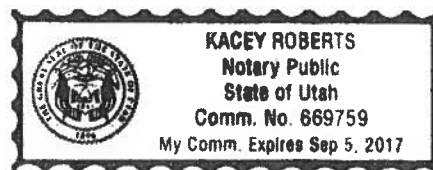
STATE OF UTAH)
) ss.

County of ~~Washington~~ Salt Lake

I, Steven Dawn being first duly sworn, depose and say the foregoing questionnaire is in all respects true and correct, to the best of my knowledge and belief and that I am the above named applicant. I understand that any false information constitutes perjury.

SUBSCRIBED AND SWORN TO before me this
22nd day of September 2015.

Kacey Roberts
Notary Public



My Commission Expires 09/05/2017.

If applicant is an agent for the corporation or partnership, an officer using the authority to do so, or the other general partners, will indicate the desire of the corporation or partnership to have the above -named applicant hold the beer license in his (her) name as the agent for the benefit of the corporation by affixing his (her) signature here, and he (she) further certifies that by signing this application he (she) is duly appointed, authorized and acting agent of the corporation or general partner of the partnership.

Steven Dawn
Name

President
Title

9.22.2015
Date



Dear St. George Committee Members,

Even Stevens St. George LLC is requesting a variance per section 3-3-11 of the city code. We recently discovered a church located within 600 feet of our store front (measured by the UDABC to be exactly 495 feet). Although our store will have a limited use alcohol license, we know that our restaurant will have an immensely positive impact on the community. We are hoping a variance will be considered and granted in light of our give back initiative, our providing the community with a fun hangout and eatery for people of all ages, and the employment opportunities we'll be providing to the local residents of St. George.

Our giveback initiative is the most important benefit to the community. For every sandwich sold, Even Stevens donates a sandwich to a local non-profit. We have chosen Switchpoint, Dove Center, and Utah Food Bank SG as our starting non-profits. As our sales increase, there is a strong possibility that we can add more non-profits to our give back. The food that these non-profits receive from us helps free up funds that were previously spent on food. We regularly promote our non-profits in store and through our advertising efforts, which often encourages our customers to donate their time and resources to these non-profits as well. Our Even Stevens team has a strong volunteer presence at our non-profits too.

Our restaurant will also be a great hangout for community members of all ages. We want everyone to feel welcome at Even Stevens, which is why we have great food, excellent customer service, and a fun theme. Since St. George is a major pit-stop for all road trippers traveling through southern Utah, we've themed our restaurant around vintage road trips, with an emphasis on the surrounding national parks. We're excited to provide a fun break for weary travelers who've been cooped up in their cars all day. We also have free Wi-Fi for our business goers and students alike. Important sporting events are always available on our HD flat screen televisions as well. We encourage a relaxed and fun atmosphere so that everyone wants to keep coming back.

We will also be providing employment opportunities for local residents. Our fun atmosphere and competitive pay make Even Stevens an awesome place to work. Our General Managers are handpicked and trained to run an efficient and cleanly restaurant. All our employees will gain valuable work experience from their time with us. We also employ local musicians to serenade our customers 3 nights a week, which gives these musicians greater local exposure and publicity.

We are so excited to be a part of the St. George community, and hope that our plans to open November 2nd can still be realized.

Best,

A handwritten signature in black ink that reads "Steve Down".

Steve Down
President

EVEN STEVENS SANDWICHES

MONDAY - SATURDAY 7 AM - 10 PM
SUNDAY BRUNCH 9 AM - 3 PM

DOWNTOWN SLC
200 SOUTH 414 EAST
385.355.9105

SUGAR HOUSE
2030 SOUTH 900 EAST
801.953.0357

DRAPER
541 EAST 12300 SOUTH
801.980.0755

EAT. TAKE. CATER.
EVENSTEVENS.COM

OUR LOCAL SLC VENDORS INCLUDE:

STONEGROUND BAKERY
BEEHIVE CHEESE
RIMINI COFFEE
LA BARBA COFFEE
CUP & CARDIGAN COFFEE ROASTERS
PEPPERLANE JELLIES
CRAVINGS GOURMET BAKERY
SHEPHERDS DAIRY
CITY CAKES & CAFE (GLUTEN FREE BREAD)
FARMERS MARKETS
UINTA BREWING COMPANY
EPIC BREWING COMPANY
BOHEMIAN BREWERY
WASATCH BREWERY
SQUATTERS BEERS

SANDWICHES

*PICKLE
& CHIPS OR
SIDE SALAD

DO GOUDA\$8.95

Tender roast beef, smoked Gouda, sweet onion marmalade, red onion, greens, sourdough

REUBEN\$8.45

Corned beef brisket, Swiss, Russian dressing, sauerkraut, rye

MIHAMI VICE\$8.65

Roast pork, ham, whole mustard, Swiss, pickle spears, baguette

SLOPPY JOE\$6.95

Beef & chorizo slow simmered in sloppy sauce, pickled red onion, Kaiser roll

SLOPPY TINA\$6.75

Joe's vegan roommate. Made with mushrooms and chickpeas

TURKEY DAY\$8.95

Sliced fried turkey, Havarti, cran-peno jelly, slow roasted tomato spread, cucumbers, greens, French bread

JP GRILLED CHEESE\$7.95

Melty white cheddar, poppin cream cheese, garlic roasted jalapenos, French bread

POT ROAST DIP\$8.85

Succulent turkey pot roast, Swiss, red onion, jalapeno jelly, baguette or sourdough, au jus

CAPREEZY\$8.95

Fresh mozzarella, roasted hazelnut pesto, tomatoes, arugula, balsamic glaze, sourdough

BAKED MAHI MAHI\$8.85

Sustainably caught mahi, slaw, cilantro aioli, baguette

SPRANG CHICKEN\$8.75

Chicken, provolone, bacon, avocado, tomatoes, cucumbers, greens, honey mustard, multi-grain

HUMMAZING VEGAN\$7.25

Roasted red pepper hummus, slow roasted tomato spread, avocado, tomatoes, cucumbers, red onion, arugula, wheat

THE
1/2
&
1/2
\$9.95

BITES
UNDER \$5

ES POTATO SALAD\$1.95

BEEHIVE BAKED MAC\$4.25

TOM BASIL BISQUE\$3.45

HUMMUS\$4.25

KETTLES & QUESO\$4.55

PARTY TOTS\$4.95

SALADS

WRAP IT UP FOR \$1
AND GIVE BACK. TOO

GOAT GETTER\$7.95

Spinach, arugula, goat cheese, berries, toasted almonds, tangy vinaigrette. Your choice of turkey, chicken or bacon

ROASTED PORK & BLUE CHZ\$8.45

Roasted pork, blue cheese crumbles, balsamic glaze, pickled red onion, creamy blue cheese dressing

APRICOT BACON GORGONZOLA\$7.85

Spring mix, dried apricots, bacon, Gorgonzola, candied pecans, red onion, House vinaigrette

CAESAR!\$7.35

Chopped romaine, shaved parmesan, grape tomatoes, baked croutons, Caesar dressing

EVEN STEVENS
SANDWICHES

A SANDWICH SHOP WITH A CAUSE.

FOR EVERY SANDWICH SOLD, EVEN STEVENS DONATES A
SANDWICH TO A LOCAL NON-PROFIT.

OUR PARTNERS IN DOWNTOWN SLC INCLUDE:

YWCA
344 EAST BROADWAY
The oldest domestic violence shelter West of the Mississippi.
Visit ywca.org

RESCUE MISSION
463 SOUTH 400 WEST
Providing addiction recovery services and more. Visit
rescuesaltlake.org

THE GOOD SAMARITAN PROGRAM
347 EAST SOUTH TEMPLE
Providing sack lunches, no questions asked, for over 30 years.
Visit utcotm.org/gsp-good-samaritan-program

VOLUNTEERS OF AMERICA
655 SOUTH STATE STREET
Guiding homeless youth to stability through outreach and
drop-in resources. Visit voaut.org

OUR PARTNERS IN SUGAR HOUSE INCLUDE:

ST. VINCENT DE PAUL
235 SOUTH RIO GRANDE STREET
Providing an average of 18,000 meals monthly to homeless and
low income individuals. Visit ccsutah.org

THE BOYS & GIRLS CLUB
SUGAR HOUSE CLUB - 968 SUGARMONT DRIVE
LIED CLUB - 464 SOUTH CONCORD
A safe place for kids to learn and grow year-round for over 40
years. Visit bgcgsi.org

OUR PARTNERS IN DRAPER INCLUDE:

CROSSROADS URBAN CENTER
347 SOUTH 400 EAST
Operating one of the busiest food pantries in the state.
Visit crossroadsurbancenter.org

SALT LAKE CITY MISSION
1151 SOUTH REDWOOD ROAD
"Providing real change, not just spare change since 1993."
Visit saltlakecitymission.org

FIRST STEP HOUSE
411 NORTH GRANT STREET
Helping people in recovery find, or rediscover, a sense of
purpose in their lives. Visit firststephouse.org

ST. ANDREW FOOD PANTRY
11835 SOUTH 3600 WEST
Serving the south end of the valley from the basement of the
St. Andrew Parish. Visit standrewut.com

FOR MORE INFO ABOUT OUR FOOD, CAUSE & PLACES
AT EVENSTEVENS.COM

BREAKFAST

SERVED ALL DAY

BREAKFAST SANDWICH\$5.95
Two eggs, bacon or sausage, white cheddar, House sauce,
talera roll

BREAKFAST BURRITO\$6.75
UNDERGRAD Two eggs, bacon or sausage, pepper
jack, taters, House sauce, Sriracha.

GRAD Add tomatoes, onions, spinach + \$1
THE MORRISSEY\$5.45

Famously vegan. Roasted eggplant, curried tofu, cannellini
beans, pickled red onion, Flour tortilla. Served with potatoes

FRENCH TOAST\$3.75
Served with syrup or Nutella

STUFFED FRENCH TOAST\$5.95
Banana cream cheese filling & warm berry compote

SUNDAY BRUNCH

UNLIMITED FRENCH TOAST, \$3 MIMOSAS, LIVE MUSIC



CRAFT BEER & SANDWICH PAIRINGS

DO GOUDA

+ (EPIC) MID MOUNTAIN MILD ALE

REUBEN

+ (SQUATTERS) SNOWBIRD DUNKELWEIZEN

MIAMI VICE

+ (UINTA) OUTTHROAT PALE ALE

SLOPPY JOE / TINA

+ (EPIC) PFEIFFERHORN LAGER
+ (UINTA) MONKSHINE BELGIAN BLONDE ALE

TURKEY DAY

+ (UINTA) WYLD PALE ALE
+ (EPIC) PFEIFFERHORN LAGER

JP GRILLED CHEESE

+ (UINTA) BABA BLACK LAGER

POT ROAST DIP

+ (EPIC) SPIRAL JETTY IPA
+ (SQUATTERS) SNOWBIRD DUNKELWEIZEN

CAPREEZY

+ (UINTA) GOLDEN SPIKE HEFEWEIZEN
+ (EPIC) MID MOUNTAIN MILD ALE

BAKED MAHI MAHI

+ (UINTA) 801 PILSNER
+ (UINTA) GOLDEN SPIKE HEFEWEIZEN

SPRANG CHICKEN

+ (UINTA) 801 PILSNER
+ (UINTA) GOLDEN SPIKE HEFEWEIZEN

HUMMAZING VEGAN

+ (UINTA) OUTTHROAT PALE ALE

*Craft beer selection varies by place

Sonia Hales
1805 w Canyon view Dr
St George Utah

9/19/2015

To Whom It May Concern,

I have been a resident of St. George for 20 years. . I love the Even Stevens brand. Every time I make a trip to Salt Lake, my family and I make a special effort to eat there because each time brings such a great experience. Evens Steven bring such a fun atmosphere for my family and me to experience. I am excited for a store to be built right here in St. George, not just because I love their food, but because they are going to impact this community for the best. Their community outreach program is outstanding; for every sandwich purchased, they donate a sandwich to a local non-profit organization. I'm looking forward to have a fun environment that will bring music, Laughter and family fun under one roof.

Respectfully,



Sonia Hales

I, Steve Down permit any authorized representative of the City or any Law Enforcement Officer an unrestricted right to enter the licensed premises.

Signature

Steven Down

Date:

9-29-15

My name is Whitney Clark, and I have been a resident of St. George for my entire life. When I found out that a Even Stevens was going to be opened up in St. George, I was very excited. I know the owners to be hard working and dedicated to giving back to the community. The owners of Even Stevens have so much to offer the City of St. George, and I can only hope that you will give them the opportunity to fulfill their vision of Even Stevens St. George. The owners are amazing and moral people, and already have a number of local non-profits they would like to work with.

Cris Tudman
The Falls Event Center
170 South Mall Dr.
St. George, Utah 84790

9/19/2015

To Whom It May Concern,

I have been a resident of St. George for 12 years. I have worked with the owners and operators of Even Stevens for just over two years now, and I enjoy very much working with them. They are hardworking and passionate. I love the Even Stevens brand. Every time I make a trip to Salt Lake, my Husband and I make special effort to eat there because each time brings such a great experience. I am excited for a store to be built right here in St. George, not just because I love their food, but because they are going to impact this community for the best. Their community outreach program is outstanding; for every sandwich purchased, they donate a sandwich to a local non-profit organization. I know they already have a large number of non-profit partners they plan to work with in our community. Granted this opportunity, you will not be let down; the people at Even Stevens work with such professionalism while keeping a sense of relatability and fun. Even Stevens is going to be an incredible addition to our community!

Respectfully,



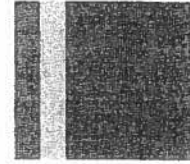
Cris Tudman
The falls Event Center

Marianne Coombs

170 South Mall Dr.

St. George, Utah 84790

Telephone: (435) 705-9659 Email: mcoombs@thefallseventcenter.com



September 18, 2015

To Whom It May Concern,

I live in St. George, Utah and have for 30 years. Members of the community, myself included, have been greatly looking forward to having an Even Stevens here in town. I am the General Manager at The Falls Event Center, St. George location which is a company the owners of Even Stevens also own and operate. I work closely with them and know them to be extremely hardworking and dedicated to what they do. I have every confidence that, given this opportunity, you will not be disappointed! They hire skilled and passionate staff who make the experience truly memorable. We look forward to this exciting new addition to the community.

Warm regards,

Marianne Coombs

Marianne Coombs



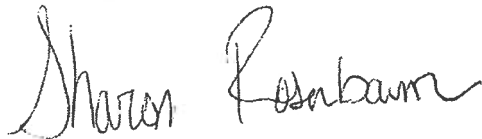
Sharon Rosenbaum

Phone: (307) 248-3479

Dear Sir or Madam,

My name is Sharon and I have lived in St. George for a year now and I absolutely love it! The environment and the people make it such a great place to live. I think that having a space for young adults, like me, to congregate and make memories is exactly what Even Stevens will bring and it will make St. George that much better! I work with the owners of Even Stevens and they are so passionate about their job. I love working with them, knowing that they come into work every day and put their heart and soul into everything that they do. They have a great company ran by amazing people. Given this opportunity, I know they will do wonderful things.

Thank you for your time and consideration.

A handwritten signature in cursive script that reads "Sharon Rosenbaum". The signature is written in dark ink and is positioned above the typed name.

Sincerely,

Sharon Rosenbaum

DRAFTAgenda Item Number : **6G**

Request For Council Action

Date Submitted 2015-10-14 15:48:40**Applicant** City of St. George**Quick Title** Appoint Election Workers**Subject** We need to appoint election workers for the General Election held on November 3, 2015. There are new election workers as some that worked during the Primary Election are not available.**Discussion****Cost** \$0.00**City Manager
Recommendation****Action Taken****Requested by** Christina Fernandez**File Attachments****Approved by Legal
Department?****Approved in Budget?** **Amount:****Additional Comments**

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
OCTOBER 1, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Joe Bowcutt

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Scout Ash Brown and the invocation was offered by Pastor Joe Doherty with the New Promise Lutheran Church.

Mayor Pike mentioned the annual Crop Walk that will take place in November at Larkspur Park. He then asked Community Arts Administrator Gary Sanders to introduce the Ibigawa, Japan delegates and James McFadden with the Exchange Club.

Mr. Sanders stated that this is the 27th year that the City and Ibigawa have partnered for the marathon. He mentioned activities that have taken place since the arrival of the delegates.

Mayor Pike mentioned that he and others had the opportunity to travel to Ibigawa in the past; Councilmember Hughes will be representing the City this year.

Mr. McFadden explained that this is the 29th year for the Mayor's Walk which is held in conjunction with the St. George Marathon. The theme this year is "Making Tracks". A portion of the proceeds will go toward the All Abilities Park.

Mayor Pike noted that the Exchange Club has already donated \$100,000 to the All Abilities Park.

Mr. Sanders introduced Chie Ito, tour guide translator for the delegates. Together, they introduced the delegates.

Mayor Pike introduced the St. George Youth City Council members who are job shadowing their counterparts with the City.

Steve Caplin, with the Dixie Regional Medical Center (DRMC) Governing Board, provided an update on their 2014 Statistics and Accomplishments. Additionally, he highlighted services DRMC provides and mentioned the fact that they are practicing level 2 trauma care; they will become certified by the end of this year. He explained what Genomics is and explained that DRMC houses their board. They will be expanding their campus next year.

City Manager Gary Esplin explained that the two bid openings will be tabled.

1 **COMMENTS FROM THE PUBLIC:**

2 Jinx Dabney, citizen, thanked the Mayor and Council for installing the traffic signal at St.
3 James Place and River Road. The signal will save people from getting hurt.

4
5 Jeanine Hauet, citizen, explained that they have lived here for about two and a half years.
6 She mentioned an editorial she read in yesterday's paper and asked how accurate it was.

7
8 Mayor Pike stated that he believes parts of it are. There is no doubt that more trucks will
9 be used to pick up the bins which may cause additional pollution. Recycling will divert
10 trash from, and lengthen the life of, the landfill. Although some sorting will take place
11 here, everything will be shipped out.

12
13 Ms. Hauet asked if the recyclables will be used to produce energy.

14
15 Mayor Pike explained that it would cost millions of dollars to do that, but this is a start.
16 He explained that "binnies" will continue in some locations and glass can only be recycled
17 using them. This is the second month of the opt-out phase; 7.8% of customers have
18 opted out for a number of reasons. He explained how customers can opt-out.

19
20 **FINANCIAL REPORT:**

21 **Consider approval of the financial report for August, 2015.**

22
23 City Manager Gary Esplin advised that this is the second month in the current fiscal year;
24 sales tax is higher than estimated.

25
26 **MOTION:** A motion was made by Councilmember Almquist to approve the
27 financial report for August, 2015.

28 **SECOND:** The motion was seconded by Councilmember Randall.

29 **VOTE:** Mayor Pike called for a vote, as follows:

30
31 Councilmember Almquist – aye
32 Councilmember Hughes – aye
33 Councilmember Randall – aye
34 Councilmember Arial – aye

35
36 The vote was unanimous and the motion carried.

37
38 Mayor Pike mentioned that Councilmember Bowcutt could not be here tonight.

39
40 **EASEMENT VACATION/ORDINANCE:**

41 **Consider approval of an ordinance vacating a drainage easement located at**
42 **approximately 170 North 400 East Street.**

43
44 City Manager Gary Esplin explained that the City failed to vacate this easement a number
45 of years ago when the buildings were built.

46
47 **MOTION:** A motion was made by Councilmember Almquist to approve the
48 ordinance vacating a drainage easement located at approximately 170
49 North 400 East Street.

50 **SECOND:** The motion was seconded by Councilmember Hughes.

51 **VOTE:** Mayor Pike called for a roll call vote, as follows:

52
53 Councilmember Almquist – aye
54 Councilmember Hughes – aye
55 Councilmember Randall – aye
56 Councilmember Arial – aye

1
2 The vote was unanimous and the motion carried.
3

4 **LOCAL LIMITS STUDY/RESOLUTION:**

5 **Consider approval of a resolution adopting the technically based Local Limits**
6 **Study for the Pretreatment Program.**
7

8 City Manager Gary Esplin introduced Pretreatment Coordinator Daniel Morrison from the
9 Wastewater Treatment Department.
10

11 Councilmember Almquist stepped out.
12

13 Mr. Morrison explained that the resolution is to approve the 2014 technically based Local
14 Limits Study for the Pretreatment Program. He read the proposed resolution.
15

16 Councilmember Almquist returned.
17

18 City Manager Gary Esplin noted that during a previous work meeting, the limits to allow
19 commercial users to discharge into the sewer system was discussed.
20

21 **MOTION:** A motion was made by Councilmember Hughes to approve the
22 resolution adopting the technically based Local Limits Study for the
23 Pretreatment Program.

24 **SECOND:** The motion was seconded by Councilmember Randall.

25 **VOTE:** Mayor Pike called for a roll call vote, as follows:
26

27 Councilmember Almquist – aye

28 Councilmember Hughes – aye

29 Councilmember Randall – aye

30 Councilmember Arial – aye
31

32 The vote was unanimous and the motion carried.
33

34 City Manager Gary Esplin explained that the water collected is treated and reused on
35 City parks and golf courses.
36

37 Mayor Pike introduced Brittany Hollinshead, Mrs. Ivins. He then read a proclamation
38 proclaiming October as Dysautonomia Awareness Month.
39

40 Ms. Hollinshead explained that she has Postural Orthostatic Tachycardia Syndrome
41 (POTS), a form of Dysautonomia; it took seven years for her to be diagnosed. She
42 introduced Cyndee and Aleena who have the same illness; they spoke about their
43 experiences with this disease.
44

45 **FINAL PLAT:**

46 Assistant Public Works Director Wes Jenkins presented the final plat for Bridle Gate
47 Estates Phase 3, a 32-lot residential subdivision located at 3030 East Street and
48 approximately 2550 South; zoning is RE-12.5. He showed the final plat and explained
49 that there is an easement that goes along lot 50. Some of the lots fall within a high
50 ground water table; therefore, any basements will be required to have a geotechnical
51 design to deal with the ground water.
52

53 **MOTION:** A motion was made by Councilmember Hughes to approve the final plat
54 for Bridle Gate Estates Phase 3.

55 **SECOND:** The motion was seconded by Councilmember Almquist.

56 **VOTE:** Mayor Pike called for a vote, as follows:
57

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Bridle Gate Estates Phase 4, a 10-lot residential subdivision located at approximately 3210 East 2550 South; zoning is RE-12.5. He showed the final plat and explained that a number of the lots that fall in the high ground water table; therefore, any basements will be required to have a geotechnical design to deal with the ground water.

MOTION: A motion was made by Councilmember Almquist to approve the final plat for Bridle Gate Estates Phase 4.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Desert Plateau Phase 3, a 15-lot residential subdivision located at Deserts Edge Drive at approximately 6270 South; zoning is R-1-10. He showed the final plat.

MOTION: A motion was made by Councilmember Arial to approve the final plat for Desert Plateau Phase 3.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Desert Plateau Phase 4, a 12-lot residential subdivision located at Barrel Roll Drive at approximately 3550 East; zoning is PD-R. He showed the final plat.

MOTION: A motion was made by Councilmember Arial to approve the final plat for Desert Plateau Phase 4.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

APPOINTMENTS:

Mayor Pike recommended appointing Lance Himelright and Jamie Moore to the SunTran Appeal Panel. He explained that one of the panel members will be an employee appointed by the City Manager.

City Manager Gary Esplin recommended Public Works Director Cameron Cutler be appointed to the panel as well.

City Attorney Shawn Guzman advised that one of the members needs to be a physician. He suggested waiting to appoint Mr. Himelright until there is further clarification.

MOTION: A motion was made by Councilmember Randall to appoint Jamie Moore and Cameron Cutler to the SunTran Appeal Panel.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

APPOINTMENTS:

Mayor Pike recommended re-appointing Gil Almquist ending December 31, 2018; Brooks Pace ending December 31, 2019; and Kim Campbell, as the Chair, through December 31, 2019 to the Historic Preservation Board.

MOTION: A motion was made by Councilmember Hughes to appoint the board members as recommended.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Almquist explained why and when the board meets.

Mayor Pike explained that the board members have a specific expertise and mentioned their names.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on June 25, 2015.

MOTION: A motion was made by Councilmember Arial to approve the minutes from June 25, 2015.

SECOND: The motion was seconded by Councilmember Almquist with a minor correction to line 34 on page 1.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on July 30, 2015.

MOTION: A motion was made by Councilmember Almquist the minutes from July 30, 2015.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on August 6, 2015.

MOTION: A motion was made by Councilmember Arial to approve the minutes from August 6, 2015.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on August 13, 2015.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from August 13, 2015.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on August 20, 2015.

MOTION: A motion was made by Councilmember Arial to approve the minutes from August 20, 2015.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on August 27, 2015.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from August 27, 2015.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on September 3, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from September 3, 2015.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on September 10, 2015.

MOTION: A motion was made by Councilmember Hughes to approve the minutes from September 10, 2015.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Councilmembers Randall and Almquist had no reports.

Councilmember Hughes mentioned the recent Homeless Coordinating Council meeting. Carol Hollowell at SwitchPoint heard a lot about the need for help with mental health on her bike ride across the country.

Councilmember Arial mentioned the Art Museum tour that will take place on October 23rd and 24th.

Mayor Pike mentioned some events taking place this month. He mentioned the BLM Resource Management Plan and encouraged everyone to learn all they can about it. The City could potentially lose 10% of the water it owns to the north. In his opinion, this is not only anti-growth, it is anti-human. All citizens can respond at www.wascho.utah.gov.

The consensus of the Council is to respond with a letter.

Councilmember Hughes noted that there was no input from elected officials and those planning for transportation issues.

ADJOURN TO CLOSED SESSION:

MOTION: A motion was made by Councilmember Almquist to discuss a potential property sale.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

ADJOURN:

MOTION: A motion was made by Councilmember Randall to adjourn.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Hughes – aye

Councilmember Randall – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder